

DRAFT DISCUSSION DOCUMENT:

Fort Hood Historic Properties Component

Distributed:
30 January 2004

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1.0 INTRODUCTION

The Fort Hood Historic Properties Component (HPC) of the Integrated Cultural Resources Management Plan (ICRMP) is the implementing plan for the [Army Alternate Procedures](#) (AAP) to 36 CFR Part 800 in order to comply with Section 106 of the National Historic Preservation Act ([NHPA](#)) of 1966, as amended. Under regulations 36 CFR Part 800.14 (effective as of 11 January 2001), the [Advisory Council on Historic Preservation](#) (Council) authorized Federal agencies to develop Alternative Procedures to implement the Section 106 process. The Army prepared [Army Alternate Procedures](#) to 36 CFR Part 800 that were accepted by [Council](#) and published in the Federal Register (Vol. 67, No. 44) on 6 March 2002.

Under the [AAP](#), each installation commander may select one of two processes to comply with Section 106. The installation commander may elect to comply with Section 106 review following the [Council](#)'s regulations outlined in 36 CFR Part 800 Subpart B or to authorize the preparation of a Historic Properties Component (HPC) as detailed in the [AAP](#) for certification by the [Council](#). The Installation Commander at Fort Hood has chosen to implement the [AAP](#) through the preparation of an HPC that will guide the Section 106 assessment component of the Fort Hood Cultural Resources Management Program (FTHCRM) at Fort Hood for the five years from the certification of this HPC by the [Council](#).

1.1 Purpose of the Historic Properties Component

The HPC establishes standards and guidelines that Fort Hood will follow for determining and resolving the effects of undertakings on historic properties. The purpose of the HPC is to enable compliance with Section 106 of the NHPA on a programmatic, rather than a case-by-case, basis as prescribed under the [AAP](#). For the purposes of this HPC, historic properties are defined as any prehistoric or historic district, site, building, structure, or object included in, or eligible for inclusion

in, the [National Register of Historic Places](#) (NRHP) maintained by the Secretary of the Interior. Historic properties include artifacts, records, and remains that are related to and located within such properties. The term includes historic properties of traditional religious and cultural importance to a Federally recognized Indian Tribe or Native Hawaiian organization. The term “eligible for inclusion in the National Register” includes properties formally listed in the National Register of Historic Places and those properties that meet the National Register Criteria for Evaluation but are not yet listed (also known as potentially eligible properties).

This HPC applies to undertakings initiated and completed at Fort Hood that may affect historic properties. In instances where another Federal agency is involved with the Army in an undertaking, the Army and the other agency may mutually agree that the other agency be designated as the lead agency responsible for the undertaking. In such cases, undertakings will be reviewed following the Council’s Section 106 regulations and outside the scope of this HPC.

Fort Hood also manages cultural resources under other statutes and regulations, including the [Native American Graves Protection and Repatriation Act](#) (NAGPRA), the Archeological Resources Protection Act ([ARPA](#)), the National Environmental Policy Act ([NEPA](#)), and several Executive Orders. Compliance with these laws and regulations is discussed further in the Fort Hood Integrated Cultural Resources Management Plan (ICRMP) and is not the subject of this HPC. See Chapter 3, Cultural Resources Compliance Requirements of Department of the Army [PAM 200-4](#), Cultural Resources Management, for additional details on these Federal regulations.

The majority of the data included in the discussion draft HPC is drawn from the Fort Hood Integrated Cultural Resources Management Plan (ICRMP) (Draft 2001) and the Annual Report for

2002. It is anticipated that this document will facilitate discussion and will be refined through consultation to develop a final HPC.

1.2 Basic Organizational Elements

Implementation of the HPC is intended to work in conjunction with Fort Hood existing processes and documentation requirements. The HPC is composed of three basic organizational elements: background data, Standard Operating Procedures (SOPs), and appendices.

1.2.1 Background Data

The background data include:

- identification of the installation's historic properties management personnel;
- identification of parties that participated in consultation for development of the HPC;
- information on Fort Hood's past and present missions and the types of activities that may have impacts on historic properties;
- a planning level survey, which presents an overview of the installation's cultural environment (with consideration of natural resources) that forms the basis for management decisions concerning historic properties;
- a summary of the categories of undertakings that Fort Hood believes will occur over the five-year period during which the HPC is in effect;
- a list of categorical exclusions that will not require review under Fort Hood's compliance procedures; and,
- management practices that will be carried out and implemented in Fort Hood's day-to-day activities.

1.2.2 Standard Operating Procedures

SOPs outline the systematic, step-by-step actions that Fort Hood follows when considering the effects of its activities on historic properties. The SOPs also assist Fort Hood in management of its historic properties. The SOPs detail procedures that Fort Hood will follow in carrying out its responsibilities under the [AAP](#). As such, these SOPs have been prepared in consultation with interested parties and explicitly detail how Fort Hood will carry out its responsibilities.

1.2.3 Appendices

The following appendices are included in the HPC:

Appendix A: Commonly Used Acronyms

Appendix B: Laws, Regulations, Executive Orders

Appendix C: Army Alternate Procedures

1.3 Public Disclosure and Confidentiality

As an arm of a federal agency, Fort Hood is bound by the following laws and regulations to protect information gained through its activities. The [Freedom of Information Act](#) provides any person the right to access agency records, except to the extent that they are protected from disclosure by one of nine exemptions or one of three special law-enforcement-record exclusions. However to protect our heritage, The National Historic Preservation Act ([NHPA](#)) of 1966 as amended in 2000 provides for the withholding of information about the location, character, or ownership of a historic property if the disclosure would cause significant invasion of privacy, risk harm to the historic property, or impede the use of a traditional religious site by practitioners (16 U.S.C. 470w-3). The Archeological Resources Protection Act ([ARPA](#)) also prevents the disclosure of information on the location and nature of archeological resources. To protect that information, ARPA requires a Federal permit for excavation or removal (16 U.S.C. 470) of archaeological resources. In addition to these laws and regulations including 36 CFR 79 (references (c) and (g)), DoD Directive 4165.61 requires the Fort Hood to protect Archeological sites, properties of traditional religious and cultural importance, and sacred sites from illegal entry or disturbance .

2.0 BACKGROUND

2.1 Location and Mission

Fort Hood is located in Central Texas north of the Austin and south of Waco. The installation comprises approximately 213,093.5 acres acquired for Fort Hood and an additional 5,733.9 acres adjacent to Belton Lake that are leased from the U.S. Army Corps of Engineers (ACOE). Fort Hood Cultural Resources Management program (FTHCRM) has oversight responsibility for all 218,877.4 acres.

As a facility under the United States Army's Installation Management Agency, Fort Hood's mission is to

Provide and maintain the installation infrastructure to:

- Support power projection and training of III Corps and Fort Hood units and soldiers;*
- Provide a quality living and working environment for soldiers, families, retirees, and authorized civilians;*
- Sustain an effective partnership with surrounding communities; and*
- Support the III Corps / Fort Hood transformation process.*

Fort Hood is a tank training facility with two assigned divisions, 1st Cavalry and 4th Infantry. 1st Cavalry is a heavy mechanized division. 4th Infantry is a light to medium mechanized division. Several tenant organization such as 13 COSCOM and an Air Force air lift unit are also assigned to Fort Hood.

2.2 Mission Activities that May Impact Historic Properties

Mission activities that may impact historic properties occur in three main land-use areas: Cantonments, Training Areas, and Airfields. Each area, in turn, is subdivided into specialized functional areas. The activities undertaken in each major land use category have the potential to pose unique impacts to cultural resources.

2.2.1 Cantonments

Cantonments can be divided into five functional areas. These are: (1) residential areas used for family and troop housing; (2) administrative areas used for training support and planning; (3) commercial zones used for businesses, medical, retail, and public services; (4) industrial zones used for maintenance, logistics, and transportation activities; and, (5) open space used for training, recreation, and future development. Impacts to potentially historic built resources are usually the primary concern in cantonment areas, although excavation related to new construction or to the modification of existing buildings or infrastructure may also impact subsurface archeological resources. The following potential mission activities within the Cantonment Area may affect cultural resources:

- Maintenance of buildings, structures, or landscapes;
- Changes in the use of buildings, structures, or landscapes;
- Closure of facilities;
- Disabled accessibility programs;
- Energy conservation programs;
- Hazardous material removal;
- Environmental programs;
- Master planning and other planning activities; and
- Training activities.
- Force Protection (i.e. gates, fences, “bomb” barriers

2.2.2 Training Areas

Training Areas are divided into the four sub-areas: (1) maneuver areas, (2) impact areas, (3) range areas; and (4) special use areas, such as storage facilities, etc. Fort Hood encompasses 157,453 acres

for maneuvers and 61,675 acres for live fire; the latter includes the impact areas and ranges. The perimeter of the live fire area hosts 81 ranges. In addition, there is one main storage area (ammunition supply point or ASP). These training areas represent a wide variety of microenvironments and biotic zones, including scrub forest, prairie, brush, and escarpment environments.

The Fort Hood Range Regulation 350-40 provides details on the types of military activities undertaken in each area. In general, the training areas are used for artillery training, demolition training, and tactical maneuver training. The training facilities in the maneuver areas generally include non-firing zones such as amphibious sites, drop zones, and landing strips. The ranges include pistol, rifle, machine gun, tank and anti-tank, grenade, and demolition areas. Fort Hood provides a variety of fixed facilities for training activities. These facilities support industrial skills training and small arms qualification; tank tables; live fire maneuvers through the platoon level; armor crew training and sub-caliber firing; field artillery firing through the battalion-level; external evaluations and field training exercises; and, maneuver lands to develop team and unit skills through division external evaluation and field training exercises.

Training at Fort Hood is dynamic. The type of training and the personnel receiving training vary over time in accordance with the military's mission and needs. The types of munitions or ordnance used includes small arms, including pistols and rifles; machine guns; hand grenades; artillery; mortars; and, sub-munitions, such as antipersonnel, antitank, flame weapons, and mines. In addition, approximately 15,244 pieces of tactical and tracked equipment operate at Fort Hood. The equipment includes approximately 15,080 tracked and wheeled vehicles plus 12 fixed wing, 147 helicopters and 5 unmanned aerial vehicles. The amount of equipment in use varies, depending on the number and type of military personnel assigned to Fort Hood.

Potential impacts to cultural resources on training lands at Fort Hood are comparable to those found at many military installations with substantial training missions. These include:

- Maneuver damage from tracked vehicles;
- Maneuver damage from wheeled vehicles;
- Vandalism and looting of historic buildings and archeological sites (either by military personnel or the public);
- Explosive ordnance;
- Excavation and earth-moving activity; and,
- Natural erosion processes that may be exacerbated by the above.

The signatures of the first two of these impacts can be recognized easily on training lands. The severity of the impact is dependant upon the number of repeated passes over the same area and the existing climatic conditions (wet or dry, etc.) For example, repeated passes of a tracked vehicle over the same landscape under rainy, muddy conditions may produce severe rutting in excess of 12 inches. Such rutting often may be severely exacerbated by prolonged precipitation, surface water flow, and gullyng. Evidence of tracked vehicles is usually much more common on training lands than evidence of wheeled vehicle traffic. The potential for deep rutting and erosion is of concern as direct impacts to surface and subsurface archeological resources (Briuer and Niquette 1983).

As Briuer and Niquette (1983) observed, vandalism in the form of illegal excavation and collecting is apparent by the irregular, and often recent, holes distributed over an archeological resource. In many cases, these holes are deep and reflect continuous artifact mining operations. Some cases of vandalism employ earth moving with heavy equipment.

Other, more common forms of excavation within training areas are mission-related and are implemented for tactical concealment and survivability as described in the Department of the Army,

Survivability, Field Manual 5-103 (10 June 85). These include large volume excavations carried out by Combat Engineers using heavy earth-moving equipment to partially or wholly conceal artillery (gun emplacements), tanks (hull defilade positions), and support vehicles, or to create defensive positions, such as tank ditches. Deep excavations usually accompany the construction of bunkers, shelters, and protective walls. Excavations associated with individual fighting emplacements, such as foxholes, are usually less common and less invasive. Due to the large volume of earth displaced in these operations, severe impacts to the surface and subsurface archeological record may occur, especially in areas of high archeological sensitivity and site density.

Shell craters from explosive ordnance are almost exclusively limited to artillery impact areas and are easily recognizable. Frequently, the ground and vegetation surrounding the craters exhibit evidence of burning and shell fragmentation (Briuer and Niquette 1983). Shell craters are ubiquitous within designated impact areas; occurrences in other zones of the training area are sporadic. While shells can have dramatic impact on the surface and subsurface archeological record, the impact areas where they commonly occur are usually off-limits for purposes of archeological inventory survey due to safety considerations. Thus, the extent of actual impacts is usually not determined.

2.2.3 Army Airfields

Two Army Airfields are located at Fort Hood: Hood Army Airfield and Robert Gray Army Airfield. Hood Army Airfield serves the rotary wing units. It was the main Fort Hood airfield from 1943 to 1963 and served smaller aircraft and rotary winged aircraft. Robert Gray Army Airfield was originally an Army Air Command and later an Air Force facility supporting the Nuclear Warhead Storage program. In 1963, the airfield and surrounding acreage, including the storage facility, were transferred to Fort Hood. Robert Gray Army Airfield has a 10,000-foot runway, which supports fixed wing aircraft. The airfield currently is undergoing an upgrade and is also the focus of a joint-

use program with the City of Killeen. Mission activities that may impact cultural resources within the airfields are similar to those associated with the cantonments and are described above.

2.3 Internal/External Coordination

2.3.1 Internal Organization

Responsibility for cultural resources management ultimately resides with the Installation Commander. Under [AR 200-4](#) (1-9), the Installation Commander:

- establishes the Installation Cultural Resources Management Program (ICRMP);
- designates the Cultural Resources Manager (CRM) who meets the applicable professional qualifications established by the Secretary of the Interior;
- establishes a government-to-government relationship with Federally recognized Indian Tribes;
- establishes a process that requires early coordination between the CRM and other installation staff elements, tenants, and others in the planning of projects and activities that may affect cultural resources;
- ensures that cultural resources management is integrated with installation training and testing activities, master planning (AR 210-20), environmental impact analysis (AR 200-2), natural resources and endangered species management planning and programming including the Integrated Natural Resources Management Plans (INRMP) (AR 200-3), and the Integrated Training Area Management (ITAM) program;
- establishes funding priorities and program funds for cultural resources compliance and management activities into the Environmental Program Requirements report;
- conducts a comprehensive evaluation of the installation's cultural resources management program as part of the environmental compliance assessment required by AR 200-1;
- serves as the Agency Official as defined in Section 106 with responsibility for installation compliance with the NHPA;
- serves as the Federal Agency Official as defined in 43 CFR 10 with responsibility for installation compliance with the Native American Graves Protection and Repatriation Act (NAGPRA);
- serves as the Federal land manager as defined in 32 CFR 229 with responsibility for installation compliance with the Archeological Resources Protection Act (ARPA). ARPA

permits are issued by the United States Army Corps of Engineers District Real Estate office upon approval of the installation commander in accordance with (IAW) ER 405-1-12 and AR 405-80; and,

- serves as the Federal Agency Official as defined in 36 CFR 79 with management authority over archeological collections and associated records.

Fort Hood is a large installation with a CORPS command as well as the usual Garrison Command structure. Training and projects can be initiated at both levels. Integration at both levels insures that impacts to cultural resources are considered during the planning stages. The following organization chart (Figure 1) illustrates the current hierarchy through which projects and training must be coordinated to include the Fort Hood Cultural Resources Management (FTHCRM) program.

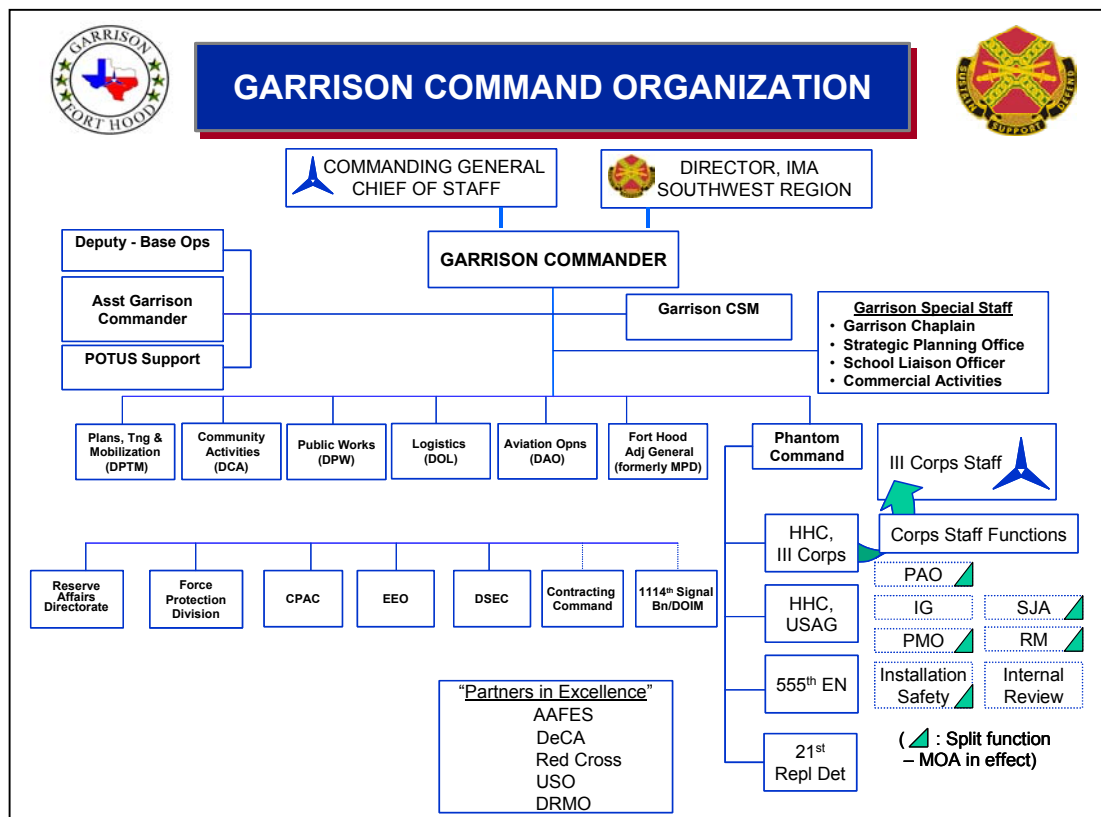


Figure 1: Fort Hood Organization Chart (ACOE Profile 25 Aug 03)

FTHCRM mission is to balance resource stewardship with training requirements. The position of cultural resources management officer at Fort Hood was created in 1978. Since that year, Fort Hood has developed a professional, comprehensive, and sophisticated cultural resources management program with a laudable record of accomplishment.

FTHCRM provides oversight and management for cultural resources within the boundaries of Fort Hood, land leased from the U.S. Army Corps of Engineers, and resident and tenant activities outside the boundaries of the installation. The current staff is experienced cultural resources professionals led by Cultural Resources Program Manager, Cheryl L. Huckerby, Ph. D., R.P.A. FTHCRM staff possesses specialized expertise in comprehensive cultural resources management, with particular emphasis in archeology, collections management, and Geographic Information Systems (GIS) technology.

FTHCRM duties as detailed in the draft ICRMP (2001) are:

1. Develop, implement, and monitor cultural resources projects, which include:
 - Administrative tasks to document decisions.
 - Application of system checks to determine quality of program performance.
 - Permitting activities.
 - Administrative tasks to document known resources.
 - Internal coordination to facilitate application of program.
 - Contracting Officer's Representative and contract management tasks.
 - Document review.
 - Protection, to extent feasible, of important resources.
2. Develop, update, and implement the integrated cultural resources management plan:
 - Create the plan.
 - Apply the plan.
 - Provide training in use of plan.
 - Maintain databases that are part of plan.
 - Improve the plan.
3. Facilitate Government-to-Government relations with Indian Tribes:
 - Implement policy (DoD, DA, and Fort Hood)
 - Facilitate good relations
 - Provide internal coordination for meetings

- Ensure meaningful and timely contacts
 - Implement "trust responsibility" in liaison work
 - Provide training on intercultural contacts.
4. Manage the program:
- Plan annual application of cultural resources program.
 - Prepare budget for program.
 - Ensure budget submittal occurs.
 - Apply the annual work plan.
 - Improve the cultural resources program.
 - Apply appropriate management techniques.
 - Prepare program management reports.
 - Respond to data calls.
5. Negotiate with external agencies and provide legal compliance:
- Comply with applicable laws and regulations.
 - Establish installation policy on coordinating with external agencies.
 - Provide cultural resources support in negotiation of mitigation comments and decisions under NEPA.
 - Meet with outside interested parties and negotiate solutions with them.
6. Perform technical research to aid in implementation of projects and programs:
- Prepare technical documentation in support of NEPA and NHPA compliance.
 - Determine technical solutions to special problems.
 - Understand and use current technology.
7. Provide archeological resources management
- Plan for archeological investigations.
 - Support dig permit programs.
 - Provide training on the need to protect resources and how to protect resources.
8. Provide collections management
- Document collections.
 - Protect collections and collection records per archival standards.
 - Enable research and public access per regulations.
9. Provide historic building and landscape management as applicable:
- Plan for building/landscape investigations.
 - Define important aspects of historic buildings/landscapes.
 - Prioritize efforts to protect important building and landscape features.
 - Facilitate appropriate preventative maintenance activities.
 - Provide training on standing operating procedures for maintenance.
 - Facilitate capital improvement programs for building and landscape systems.
10. Provide technical support, which includes:
- Public education and outreach projects.
 - External subject matter expert duties.
11. Provide traditional cultural places and traditional cultural resources management

- Plan for traditional cultural property investigations.
- Support access requests from Native American people and other ethnic or historic community members.
- Provide training on the need to protect these properties and associated protection methods.

12. Review, interpret, and apply laws and regulations

- Monitor changes in statutes and regulations.
- Interpret laws and regulations.
- Provide training in legal requirements.
- Ensure compliance.

2.3.1.1 Internal Integration

FTHCRM coordinates with a variety of departments at Fort Hood to facilitate projects and to share information. The strong technical orientation of the FTHCRM program makes possible the successful integration of cultural resources concerns into all levels of installation planning, operation, and training. The program's emphasis on well-articulated research frameworks and operational procedures, qualified staff, and use of advanced scientific technologies ensures Fort Hood's compliance with the cultural resources regulations, as well as facilitates the Installation's overall Military Mission. At the same time, the FTHCRM program contributes significantly to the overall knowledge of Central Texas Prehistory and History. FTHCRM maintains an active educational program, produces a substantial volume of work on the region, and maintains the program's position at the cutting edge of archeological research.

FTHCRM supports the civil works mission and military readiness through:

- **Project Review Board Attendance**
The project review board of the Engineering Department at the Directorate of Public Works holds weekly meetings to consider all aspects of upcoming projects. Representatives of FTHCRM regularly attend these meetings to identify cultural resources concerns in these projects.
- **Dig Permit Program**
To facilitate training activities and construction projects, FTHCRM has developed a streamlined mapping system to immediately assess site suitability for military excavation. The dig permit map enables units to quickly identify appropriate areas for training activities.

- Support Firebreak-Roads
FTHCRM coordinates the consideration of cultural resources concerns in the construction of firebreaks.
- Coordination with ITAM – Engineering
FTHCRM coordinates with the Integrated Training Area Management team to ensure streamlined operations for all facets of their mission. From stream crossings to cedar clearing, FTHCRM has made certain that cultural resources are accurately and quickly considered in all projects.
- Data Sharing
Both in the course of daily FTHCRM operations and special projects, data have routinely been disseminated appropriately to relevant departments.
- NRHP Testing Program
FTHCRM is nearing the completion of an aggressive testing program to assess all identified archeological sites on the installation applying the National Register criteria for evaluation. The collected data have greatly enhanced the ability of the FTHCRM to process project requests.
- Identification Program
While the FTHCRM program is nearing the completion of an aggressive archeological survey program to identify archeological historic properties, comprehensive survey has been initiated for built resources dating from the World War II and Cold War eras. This work on twentieth-century military resources excludes properties that are the subject of nation-wide Programmatic Agreements, such as World War II temporary construction, and properties that are the subject of Program Comments, such as Wherry and Capehart Era housing.

2.3.2 External Coordination

Fort Hood has invited the following entities to participate in consultation and development of the HPC:

Texas State Historic Preservation Officer
City of Killeen, Texas
U.S. Army Corps of Engineers
Southwest Regional Installation Management Agency (SWIMA)

Federally Recognized Indian Tribes

Caddo Indian Tribe
Comanche Indian Tribe
Kiowa Indian Tribe
Mescalero Apache Indian Tribe
Tonkawa
Wichita and Affiliated Tribes (Keechi, Waco & Tawakonie)

Non-Federally Recognized Indian Tribes
Coahuiltecan Nation (San Antonio Mission Indians)

Other Interested Parties
American Indian Resource and Education Coalition (AIREC)
Previous Residents and Descendants of previous residents of Fort Hood Property
Council of Texas Archeologists

2.4 Planning Level Survey (PLS)

The land occupied by Fort Hood is associated with the history of Native peoples, western settlement, and the military history of the United States. Numerous and varied cultural resources within the boundaries of Fort Hood have been documented through extensive and systematic investigations. The following presents a brief summary of the installation history, and characterizes the cultural resources within the military reservation. Detailed information on the geographic and historic context of installation is found in the *Fort Hood Integrated Cultural Resources Management Plan* (ICRMP).

2.4.1 Summary of Installation History

Fort Hood was named for Confederate General John Bell Hood, the noted military leader who gained recognition during the Civil War as the commander of Hood's Texas Brigade. The installation was established for training purposes as part of the U.S. military mobilization for World War II. The original site, encompassing 104,000 acres, was selected in 1941. Land acquisition and construction of South Camp Hood began in 1942. Camp Hood formally opened for troop training in September 1942 and, at peak population, provided training grounds for over 130,000 troops. In 1943, 46,000 additional acres were added. The installation was designated a permanent installation and renamed Fort Hood in 1951.

In addition to the main cantonment outside of Killen that became known as South Camp Hood, a second cantonment was established in the north. This cantonment became known as North Camp Hood. It is located 17 miles north of the main cantonment: South Camp Hood. North Camp hood was established shortly after the first land acquisition in 1942 and the development of the main cantonment area. West Fort Hood was formerly a U.S. Air Force facility. The U.S. Air Force ran Gray Army Airfield and the associated Nuclear Warhead Storage Facility called Killeen base from 1947 to 1952. From 1952 to 1969, the U.S. Army under the Defense Atomic Support Agency operated the facilities and airfield. These areas became formally part of Fort Hood in 1969.

Between 1953 and 1955, the size of Fort Hood was expanded through the acquisition of 49,578 acres, which was concurrent with the acquisition of land for Belton Lake Reservoir. Over the years, Fort Hood continued to expand in size through a series of land acquisitions to accommodate new equipment and training needs, and currently functions as a tank training facility.

2.4.2 Inventory of Historic Properties

FTHCRM has legal oversight responsibility for all of the property within the boundaries of Fort Hood in addition to oversight responsibility for installation-sanctioned activities outside of the installation boundaries. These off-site activities can include training at other locations, temporarily leased property for communications exercises, and property acquisition. The list below is a breakout of Fort Hood acreage used for training and is considered inside the broad Fort Hood boundaries:

- Real Property: 213,093.5 aces
- ACOE Property: 5,733.9 acres (per lease agreement)
- CRM Oversight: 218,827.4 acres.

The Fort Hood property includes a variety of cultural resources. Three primary cultural resource types are scattered across the Fort Hood landscape: archeological resources (historic and prehistoric),

built resources, and traditional cultural properties. Research reports, data on cultural resources, and locational information are maintained by FTHCRM.

Geographic Information System (GIS) Technology has been key in FTHCRM's ability to keep pace with expanding military and civilian operations on Fort Hood. Geographic and spatial data layers, including installation boundaries, aerial photos, archeological site boundaries, and regional geomorphology, have been integrated into this system. The system is revised, as needed, based on information collected from field monitoring, surveys, and other projects.

2.4.2.1 Current Status of Known Cultural Resources

2.4.2.2 Archeological Sites

Since the late 1980s, extensive survey has been undertaken at Fort Hood to locate archeological sites. The result is that virtually 100% of the 157,452.5-acre Training and Cantonment Areas and 85% of the 61,374.9 acre Live Fire Area have been systematically surveyed. The permanently "duded" zone accounts for a percentage of the unsurveyed area of the Live Fire Area.

A total of 2,227 archeological resources have been identified. This total comprises 1,103 prehistoric archeological resources inclusive of one Native American sacred site, and 1,124 historic archeological resources. The Fort Hood Archeological Resource Management Series (FHARMS) consists of over 45 volumes each containing a vast amount of archeological data. The FHARMS provides baseline information about resource characteristics that make the resource eligible for preservation or, at a minimum, further research. FTHCRM now is undertaking innovative analyses to assess the inter-relationships between resources and to examine the broader, regional use of the landscape.

Currently, Fort Hood protects 543 prehistoric and historic archeological resources covering approximately 8322 acres. In addition, military and civilian digging is controlled in unsurveyed areas (20,262 acres) and alluvial terraces (13,262 acres).

Prehistoric archeological resource assessment has followed the traditional methodology of shovel testing proceeding to National Register testing. This assessment program prioritized testing of resources based on mission needs, particularly in training areas. The following Table 1 summarizes National Register eligibility assessments for historic and prehistoric archeological sites

Table 1. Historic Archeological Properties at Fort Hood

	Total	Eligible	Potentially Eligible	Not Eligible
Prehistoric	1103	174	252	1007
Historic	1124	27	99	677
Totals	2227	201	342	1684

The chronology of the prehistoric material recovered at Fort Hood spans from approximately 10,000 BP to 200 BP and represents the remains of hunter/gatherer camps, kill sites, and resource processing centers. Other features include rock art, burned rock middens and mounds, rockshelters, and a Native American Medicine Wheel. Table 2 lists the types of prehistoric archeological resources found at Fort Hood.

Table 2. Prehistoric Archeological Resources by Type

Resource Type	Definition
Cave/Sink hole	Cavity in limestone where entrance is smaller than depth
Lithic Scatter	Surface concentration of stone artifacts with limited matrix depth
Midden	Thick amorphous deposit of primary burned rock without relief or standard shape
Mound	Dome shape deposit of burned rock
Open Camp	Scatter of stone artifacts in conjunction with hearths and other cooking activities
Open Camp with Midden	Same as above but include concentrations of burned rock with other debris among the rock
Paluxy	Hearths and burned rock concentrations buried in sandy deposits derived from Cretaceous-age Paluxy Formation
Rockshelter	Overhang in limestone walls caused by undercutting of limestone where the opening is greater than depth

Fort Hood also contains the entire or partial territories of 23 dispersed rural communities represented by historic archeological resources, three historic buildings, and 22 pioneer cemeteries. Historic resources include cattle ranches, farms, community structures, and trash dumps ranging from the 1850s through the military acquisition periods of 1942 and 1953. Pioneer cemeteries and adjacent community resources are the focus for ethnic identity among former members of these dispersed communities.

FTHCRM is the point of contact with the surrounding community and previous residents of Fort Hood property for information and requests to visit historic cemeteries on the installation. In 1943 and 1953, burials in many large cemeteries were removed to established cemeteries in local communities. However, smaller cemeteries with less than fifty (50) interments were allowed to remain on the installation. There are nineteen (19) known cemeteries. Fort Hood regulation 210-190 identifies the Army's role in their upkeep and the conditions for future interments.

Categories of historic archeological resources at Fort Hood are summarized below in Table 3. These resources, though scattered throughout the installation, are found in varying concentrations. Some sites comprise a single homestead with a house and associated outbuildings. The spatial relationship between these elements is smaller than the relationships between those groupings that comprise historic hamlets.

Table 3. Historic Archeological Resources by Type

Resource Type	Definition
Artifact Scatter	Surface and sub-surface scatter of historic materials, no structural remains present
Bridge	Bridge structure
Cemetery	Known location of burials, may or may not still have interred remains
Community	Group of habitation structures
Culvert	Water diversion structure
Demolished Building	Condition of specific single structure
Dump	Defined group of garbage
Farm/Ranch	Homestead and/or grouping of related structure
Livestock Feature	Structure used for attending and support of livestock
Quarry	Specific location of material removal
Railroad	Features related to railroad, i.e. right-of-way
Rock Wall	Fences, supporting structures, etc made of local rock
School	Remains of known school building
Water Feature	Employed in irrigation, water containment, etc.
Unknown	Remains not identifiable

National Register of Historic Places eligibility assessments have been undertaken using different methodologies for historic and prehistoric archeological resources. Assessment of historic archeological resources has focused on a historic document review. This review was divided into two phases based on the two major periods of property acquisition. The first phase focused on the properties acquired in 1942-43 when Camp Hood was established through the acquisition of 104,000 acres in 1942. In 1943, 46,000 additional acres were acquired to meet Army training needs of the time. The second major land acquisition of 49,578 acres occurred between 1953 and 1955 after the re-designation of Camp Hood to permanent facility status as Fort Hood. This is the second phase of

the document review project. Belton Lake Reservoir was created during this same period. The products from this review include chain of title information for all properties associated with historic archeological resources, archeological integrity assessment of all historic archeological sites, and the development of a historic context for the 1942-43 acquisition.

2.4.2.3 Built Resources

A preliminary assessment of pre-Fort Hood buildings was undertaken in 1977 and again by the Texas State Historic Preservation Office in 1990-1991. Four potentially eligible resources were identified, including the Okay Store (ca. 1900), Whitehead House (ca. 1900), the Reynolds House (ca. 1915), and the North Fort Hood Swimming Pool. The eligibility of the Killeen Base Nuclear Storage Facility near Gray Army Airfield has not been assessed. A context is currently under review. The approximately 5,000 permanent buildings constructed by the Army is currently under a systematic survey.

The Reynolds House is a two-story frame dwelling built in 1915 as the retirement home for Mr. Reynolds. Reynolds was a businessman prominent in the agricultural and rural development of Central Texas. The house, which is located within the cantonment, was acquired by the Army and used as a general field officer's quarters. The dwelling was assessed in 1979 as an architecturally significant resource that retained its integrity. The building was reassessed in 1990-91 by the Texas State Historic Preservation Office (TxSHPO) and found to be potentially eligible for National Register listing for its association to the local community. In 2002 after not being able to obtain the criteria by which TxSHPO had determined the Reynold's house as potentially eligible, FTHCRM reviewed archival documentation and the current property condition against the National Register of Historic Properties (NRHP) evaluation criteria. FTHCRM determined that the house, though having

local historic value, did not meet the National Register criteria for eligibility and was taken off the protected the FTHCRM NRHP protection list however FTHCRM still consults with occupants and DPW regarding its local historic value.

The Okay Store and Whitehead House are stone buildings located in the vicinity of the Robert Gray Army Airfield in West Fort Hood and were part of the Okay community. These building were reassessed in 1990-91 by the Texas State Historic Preservation Office and found to be potentially eligible for National Register listing as representative of early 20th century community buildings in Central Texas. In 2001, these buildings were reassessed and determined to be the Whitehead's home and storage facility. These buildings were also assessed for current integrity and ability to meet the NRHP eligibility criteria. The results of this assessment determined that the properties did not meet the NRHP criteria for eligibly and are not longer protected by FTHCRM.

The swimming pool at North Fort Hood is the last property that TxSHPO proposed as potentially eligible for the NRHP in their 1990-91 assessment. An undertaking to demolish the pool facility for health and safety reasons as it was condemned promoted a re-evaluation by FTHCRM. Upon review of archival records, the facility was one of several constructed on Fort Hood during the early 1940's construction period and thus had no special construction value. There were not special events or people associated with the facility nor would it provide any archaeological information. Hence it was determined that the facility did not meet NRHP eligibility criteria and was cleared for demolition.

*2.4.2.4. Properties of Traditional Religious and Cultural Importance to Federally
Recognized Indian Tribes*

No formal assessment of Traditional Cultural Properties has been implemented on Fort Hood. Two resources, the Leon River Medicine Wheel and the Comanche National Indian Cemetery, were identified as the result of other activities. The Leon River Medicine Wheel was identified during scheduled archeological survey in 1990. It has since been recognized as a medicine wheel by various tribal representatives and is currently used for ceremonial activities. These activities include equinox observance and a yearly renewal ceremony. Access to the location is restricted to Native Americans for traditional observances. FTHCRM personnel visit the resource for condition monitoring purposes and serve as a point of contact for Native American access.

The Comanche National Indian Cemetery is a repatriation cemetery established in 1991 as a location for reburial of repatriated remains that have been located on Fort Hood. The establishment of the cemetery pre-dates NAGPRA legislation but meets a recognized need. Fort Hood's role in the cemetery is restricted to land ownership and access oversight. Maintenance is the responsibility of Native American groups. Internments are scheduled at the request of Native Americans who bear organizational and financial responsibility.

2.4.2.5 Cultural Landscapes

An historic landscape assessment has not been completed, but is scheduled as part of ongoing inventory efforts.

2.5 Categories of Undertakings conducted at Fort Hood

Certain undertakings conducted over the five-year planning period may affect historic properties at Fort Hood. A summary of general categories of these activities is provided below. The categories refer to types of activities and not to specific or individual undertakings or projects. SOP 9.1.2 establishes a review and monitoring process for programmed undertakings.

2.5.1 Activities Involving Existing Buildings and Structures

2.5.1.1 Maintenance and Repair Activities Affecting Buildings

Maintenance and repair activities at Fort Hood typically include a variety of exterior and interior work. Exterior maintenance and repair activities typically include building cleaning, paint removal and re-painting, structural repair, abatement of lead-based paint hazards, and repair and/or replacement of roofing materials, doors, windows, exterior wall cladding, exterior trim, porches, and foundations. Interior maintenance and repair activities may include paint removal and re-painting, structural repair, abatement of lead-based paint hazards, installation of fire, smoke, and security detectors, maintenance and/or repair of HVAC, plumbing, electrical, or other utility systems, and repair and/or replacement of flooring, cabinetwork, hardware, and appliances.

2.5.1.2 Rehabilitation, Adaptive Reuse, Renovation, and Substantial Alteration

Rehabilitation is the process of returning a historic property to a state of utility, through repair or alteration, which makes possible an efficient contemporary use while preserving those portions and features of the historic property that are significant to its historic, architectural, and cultural values. Adaptive reuse is defined as the process whereby a built resource is converted to a use other than that for which it was designed. Renovation is the modernization of an historic built resource that might result in inappropriate alterations or the elimination of character-defining features and details.

Substantial alteration involves modifications made to an historic property that would enable a new or continuing use that significantly alters the appearance of the exterior elevations or interior features or damages or destroys character-defining features. Development of handicapped access to historic properties is included in this general category.

2.5.1.3 Preservation and Restoration

Preservation is defined as the maintenance and repair of existing historic materials and retention of a property's form as it evolved over time. Preservation protects and stabilizes a historic property. Restoration is the process of returning an architectural space or features of a property and its setting to its state at a particular period of time in its history. Restoration involves removing later work and/or replacing missing earlier work.

2.5.1.4 Mothballing

Mothballing, defined as temporarily closing a building or structure to protect it from weather and/or to secure it from vandalism, is generally not undertaken at Fort Hood.

2.5.1.5 Demolition

Total or partial demolition of buildings or structures may occur at Fort Hood if continued use of those properties is no longer feasible. Demolition may also occur in order to prepare a site for new construction. The removal of buildings may result in landscape and view shed alterations.

2.5.2 Ground-Disturbing Activities

Fort Hood projects resulting in ground disturbance typically include new building construction, military training activities, firing range activities, landscape maintenance, road/utility maintenance and new construction, and vandalism and looting. These activities are described below.

2.5.2.1 New Building Construction

New building construction at Fort Hood may result in ground disturbance and alterations to landscape and view shed. Replacement of an older building with a new building, even within the footprint of the older building, may also result in demolition, ground disturbance, and alterations to landscape and view shed.

2.5.2.2 Military Training Activities

The greatest threats to open sites, such as campsites and lithic scatters/lithic resource procurement sites, are continuous tank maneuvering and large earthmoving projects. Effects from tracked or wheeled vehicles vary with the intensity of area use and climatic conditions. The potential for deep rutting and erosion is a concern due to the potential for direct impacts to surface and subsurface archeological resources. Excavation related to the training mission frequently is undertaken in conjunction with tactical concealment and survivability. Such excavations may include the use of heavy earth moving equipment to wholly or partially conceal vehicles or artillery, or to create defensive positions, such as tank ditches, bunkers, shelters, and protective berms. Individual fighting emplacements (e.g., fox holes) are usually less common and less invasive. Sometimes they incorporate sand bags, rock walls, and brush for protection and concealment.

2.5.2.3 Firing Range Activities

Shell craters resulting from explosive ordnance generally are limited to artillery impact areas. While these craters may have a dramatic impact on the surface and subsurface archeological record, the impact areas are generally off-limits for archeological inventory due to safety considerations.

2.5.2.4 Landscape Maintenance

Landscape maintenance activities at Fort Hood include reseeding, erosion control, tree trimming, mowing, and general landscape upkeep and maintenance. This category also includes routine grounds maintenance, such as mowing on post and private cemeteries.

2.5.2.5 Road/Utility Maintenance and New Construction

Road and utility maintenance includes the maintenance of existing utilities, as well as the paving and repair of streets, driveways, parking lots, curbs, and gutters. New construction includes the building of roads and firebreaks. The installation of new utilities also falls into this category, and right-of-way easements for utilities and pipeline construction are often involved.

2.5.3 Vandalism and Looting

Open archeological sites, such as campsites, may contain burned rock middens, which are targeted by looters. Looting also is the primary impact to rockshelters. Looters also may target historic archeological sites, ranging from 19th century homesteads to World War II military sites.

2.6 Exempted Undertakings and Categorical Exclusions

Section 4.5(a)(3) of the [AAP](#) identifies Army-wide undertakings that are exempt from further review by an installation operating under a certified HPC. Two types of undertakings are exempted from this HPC per the Army Alternate Procedures section 4.5(a):

i. Undertakings that pose an imminent threat to human health and safety:

- in-place disposal of unexploded ordnance;
- disposal of ordnance in existing open burning/open detonation (OBOD) units;
- emergency response to releases of hazardous substances, pollutants, and contaminants; and,

- military activities in live fire zones.
- ii. Undertakings addressed through a fully executed nationwide Programmatic Agreement or other Program Alternative executed in accordance with 36 CFR 800.14 of Section 106 regulations.

Since 1991, Fort Hood has in effect a Memorandum of Understanding (MOU) among The Army at Fort Hood, the Comanche Tribal Council, and the American Indian Resource and Education Coalition, Inc. (AIREC) that establishes the Comanche National Indian Cemetery for the repatriation and reburial of all remains of appropriate Native American Indian Tribal Groups and allows access to the Leon River Medicine Wheel archeological site for Native American religious ceremonies and for appropriate scientific study. This MOU will remain in effect until terminated by any of the three parties.

A Memorandum of Agreement also exists between Fort Hood, Texas, City of Killeen, Texas, and the Texas State Historic Preservation officer regarding the inclusion of historic archeological sites within the proposed Robert Gray Army Airfield joint use.

The AAPs also enable Fort Hood to determine additional categorical exclusions per sections 4.5(a)(2) and 3.5(d). These additional categorical exclusions will be determined through consultation with the consulting parties during the preparation of this HPC. A list of possible exempted undertakings and categorical exclusions is included in SOP 2.

2.7 Management Goals and Practices

The purpose of this section is to establish the proactive consideration of preservation concerns, which is accomplished through management practices that are integrated into day-to-day installation activities at Fort Hood. This section also contains a description of the desired future condition of

historic properties over the course of the HPC's five-year planning period and a list of the management and preservation goals for historic properties. The mission of FTHCRM is to balance cultural resources stewardship with Army Mission Training Requirements. The management practices are consistent with the standards and guidelines included in military mission, AR Pamphlet 200-4 ([AR PAM 200-4](#)) and the appropriate Secretary of the Interior's Standards for Archeology and Historic Preservation (Secretary's Standards).

2.7.1 Goals for Preservation and Management of Historic Properties

The primary goal for the preservation and management of historic properties at Fort Hood is avoiding, if possible, effects to historic properties and limiting the adverse effects of undertakings that occur at Fort Hood. In addition, the following goals provide an ongoing focus for preservation and management of historic properties at Fort Hood. These goals represent those activities that can reasonably be achieved at Fort Hood over the course of the five-year planning period covered in this HPC.

Administrative Goals

- continue to ensure adequate staffing of Fort Hood Cultural Resources Management Program by personnel who meet the Secretary of the Interior's professional qualifications;
- continue to integrate cultural resources management with the mission of Fort Hood so that mission goals may be achieved without unnecessary delay;
- continue to meet legal responsibilities taking account cultural resources within the installation;
- continue to accomplish cultural resources management in a timely and cost-effective manner;
- continue to coordinate and to maintain effective government-to-government relations with Federally recognized Indian Tribes;
- continue to provide accurate landscape access data;
- improve locational data in digital formats;
- continue to monitor resources for impacts;
- continue to implement protective measures for cultural resources;
- continue to implement curation and conservation measures for cultural resources and artifacts;
- increase public outreach in schools, Soldier Training Programs, and civilian and community awareness activities.
- contribute to local, national, and international knowledge base through published articles;

- develop cooperative programs for research, interns, and volunteers.

Survey and Evaluation Goals

- continue efforts to evaluate archeological sites for NRHP eligibility, with priority given to resources affected by training and earth-moving activities;
- survey and evaluate military permanent structures constructed prior to 1945 (32 buildings) and during the Cold War Era (approximately 2,000);
- monitor the evaluation status of built resources as they become older than fifty years;
- continue to enhance the GIS database of cultural resources and archeologically sensitive areas to integrate with planning databases used by Fort Hood managers.

Goals for Built Resources, Archeological Sites, and Properties of Traditional Religious and Cultural Importance

- preserve significant archeological sites for the future;
- provide adequate maintenance of historic buildings;
- encourage keeping historic buildings in active use;
- provide adequate protection, to extent feasible, and monitoring for archeological sites;
- identify paperwork for original exhumations of historic cemeteries to determine if all remains removed;
- implement a random geophysical examination of disturbed ground to confirm removals;
- maintain list of resources with burials and consistently monitor adequacy of protective measures; and,
- continue consultation among Federally recognized Indian Tribes, as well as non-federally recognized Indian Tribes.

2.7.2 Desired Future Condition of Historic Properties

The desired future condition of historic properties reflects expected changes that may be realized over the course of the five-year planning period of this document. Considerations for changes in the condition of historic properties include availability of funding over the planning period and possible undertakings that may have an effect on historic properties. Mission impacts may occur as a result of changing the condition of historic properties. The desired condition of these historic properties is as follows.

Built Resources

- Re-use buildings and structures potentially eligible for National Register listing in accordance with the Secretary of the Interior's *Guidelines*. Original fabric shall be retained when possible within funding and code requirements. The design and construction of additions shall meet the Secretary of the Interior's Standards to ensure resource integrity.

Archeological Research and Preservation

- Continue to implement Monitoring, Protection and Public Education sub-programs and refine management.
- Implement a holistic approach focusing on a landscape theoretical framework in which archeological resources are integrated with the landscape in which they are located. To continue to protect and determine long-term management goals for individual resources is not productive especially since the military mission operates within a landscape framework. Existing information is under review and analysis to provide an overview and identify potential patterns in the distribution of defined site types listed above. In addition, patterns for the distribution of features within resources and across the landscape will be assessed. This information will lead to a regional compilation of data and overview of cultural and natural resource usage.
- Continue the risk assessment program from the perspective of military training for archeological sites to prioritize resources at risk from training impacts. The results will identify the best protective action to take. As funding allows, implement actions and monitor results to insure the best method is applied. Supporting the implementation of the protective action will be an education program to train military personnel of protective actions and of penalties for ignoring them.
- Implement data recovery excavations as a last resort protective action. This action will be considered when the risk of total destruction of an archeological resource is predicted within two fiscal years or less and other protective actions have been tried and have failed to effectively eliminate damage to the resource. Funding will be programmed to implement data recovery at two resources per fiscal year if funding is provided.

Properties of Traditional Religious and Cultural Importance

- Continue to protect properties of traditional religious and cultural importance through appropriate protective action. Protection methods should be specified in consultation with representatives of the appropriate Federally recognized Indian Tribe.
- Continue to consult with representatives of the appropriate Federally recognized Indian Tribe to develop new access and use procedures to Comanche National Indian Cemetery and the Leon River Medicine Wheel.

3.0 STANDARD OPERATING PROCEDURES FOR FORT HOOD

Standard Operating Procedures (SOPs) establish the procedures by which undertakings are assessed for impacts to cultural resources and identifying methodologies to reduce or eliminate those impacts if they are identified. The SOPs are based on the NHPA Section 106 decision process and the goals, management practices, and historic preservation standards developed in the preceding sections and the Integrated Cultural Resource Management Plan. Avoiding and limiting adverse effects is the underlying management goal for historic properties. To achieve that goal, the first eight SOPs outline the decision-making process implemented at Fort Hood:

- SOP 1: Identifying Undertakings and Defining Areas of Potential Effects (APEs)
- SOP 2: Identifying and Evaluating Historic Properties
- SOP 3: Determining Applicability of Categorical Exclusions and/or Exemptions
- SOP 4: Assessing Effects of Undertakings on Historic Properties
- SOP 5: Treating or Mitigating Adverse Effects
- SOP 6: Documenting Acceptable Loss
- SOP 7: Applying Best Management Practices
- SOP 8: Reviewing Alternatives for Undertakings with Adverse Effects on Historic Properties

Each step must be completed in sequential order for effective and efficient decision-making. The CRM shall proceed to the next step only when necessary and when the previous step has been completed. The steps cannot be completed out of order. The decision-making process is illustrated in Figure 2. Additional SOPs outline supplementary processes for review and consultation in keeping the HPC and consultants updated.

SOPs 9-13 define the decision-making or notification processes for other program areas.

- SOP 9: Review and Monitoring of the HPC
- SOP 10: Government-to-Government Consultation with Federally Recognized Indian Tribes
- SOP 11: External Coordination and Shared Public Data
- SOP 12: Coordination For Excavation Using Fort Hood Dig Permit Form FTH420X10

SOP 1: IDENTIFYING UNDERTAKINGS AND DEFINING AREA OF POTENTIAL EFFECTS (APES)

The first step in assessing impacts to historic properties is the determination whether a project or activity qualifies as an undertaking. Once FTHCRM has determined the project or activity qualifies as an undertaking, the area of potential effect (APE) shall be defined based on the typical effects of a specific undertaking. The results of the undertaking determination and definition of the APE will be in a project file. The file will include appropriate documentation identifying the APE, supporting documentation and the rationale used in making determinations.

1.1 Identify Undertaking

An undertaking is defined in the [AAP](#) as “a project, activity, or program that is funded in whole or in part under the direct or indirect jurisdiction of the Army, including those carried out by or on behalf of the Army, those carried out in whole or in part with Army funds, and those requiring Army approval.” FTHCRM will identify the undertaking. Following identification, the FTHCRM shall evaluate the following:

- If the project does not qualify as an undertaking in accordance with this definition, the determination will be documented in the appropriate HPC and [NEPA](#) files and retained for future program review; or
- If project qualifies as an undertaking continue to SOP 1.2.

1.2 Define the APE

The APE is defined in Section 1.5 of the [AAP](#) as “the geographic area or areas within which an undertaking may directly or indirectly cause changes in the character or use of historic properties, if any such properties exist. The area of potential effects is influenced by the scale and nature of an undertaking and may be different for different kinds of effects caused by the undertaking.”

The size of the APE is determined on a case-by-case basis and includes in its calculation the scale and nature of the undertaking. The APE should be logically linked to the project in question.

Generally, the size of the APE will be commensurate with the size of the project. Because definition of the APE includes both direct and indirect effect areas, it is possible for a project to result in two APEs, one for indirect effects and one for direct effects, or even several APEs to cover multiple direct and indirect effects. APEs may be overlapping, contiguous or non-contiguous, or any combination thereof. Cumulative effects may also influence the delineation of an APE. Projects occurring within or adjacent to historic districts or historic landscapes should also take into account the visual impacts of a proposed undertaking when determining the APE.

To determine the project APE:

- categorize the undertaking (such as maintenance and repair, ground-disturbing activity, etc.). See 2. 6 in this HPC for a further description of the categories of undertakings;
- determine whether the effects typically associated with this category of undertaking are the expected effects for the project;
- based on anticipated effect(s), determine where those effects might occur in relation to the project. The areas where effects might occur constitute the APE(s);
- examine the APEs with respect to the anticipated effects to determine whether the undertaking is likely to affect historic properties (for example, ground-disturbing activities along stream beds are likely to disturb cultural or archeological sites);
- complete this process for all potential project locations;
- include all APE definitions on a project map, separately delineating the different areas as identified; and,
- determine whether the scope and/or nature of the project might result in additional or other effects.

Upon determination of the APE, FTHCRM shall proceed to SOP 2.

SOP 2: IDENTIFYING AND EVALUATING HISTORIC PROPERTIES

The identification of historic properties and their evaluation for meeting the NRHP listing criteria are consecutive processes integral to NHPA section 110 that requires federal agencies to implement a program to identify, evaluate, and nominate historic properties to the NRHP. FTHCRM currently operates under the Army's Regulation 200-4 in accordance with NHPA Section 110. As part of its operation, FTHCRM has a developed identification and evaluation program that has covered over 95 % of the installation. This SOP employed the extensive database of information acquired during the history of the program to identify and evaluate historic properties within an APE. The following sub-sections outline the decisions and actions to be made to meet the HPC decision-making process requirements. Reference is made to FTHCRM's ICRMP for implementation details of the identification and evaluation program.

2.1 Identification of Historic Properties

Based on the APE and the undertaking description, review FTHCRM database and documentation of previous surveys, assessments and projects to determine if historic properties previously identified in APE.

2.1.i. If APE no previously obtained data or documents exist for APE, implement identification program within the ICRMP.

2.1.ii If historic properties previously identified within APE, list those historic properties within the APE and proceed to section 3.2. Evaluation.

2.2 Evaluation of Historic Properties

Using the list of historic properties identified in section 3.1, review FTHCRM database and documentation of previous surveys, assessments and projects to determine if historic properties were previously evaluated for eligibility for listing on the NRHP.

2.2.i. If historic properties in APE were not previously evaluated for listing on the NRHP, implement evaluation program within the ICRMP.

2.2.ii. If historic properties in APE were previously evaluated for listing on the NRHP but determined not eligible for listing on the NRHP, document determination as “No Historic Properties” and provide appropriate documentation to undertaking proponent. SOPs 4 through 8 of the HPC decision-making process are null and void.

2.2.iii. If historic properties in APE were previously evaluated for listing on the NRHP and determined eligible for listing on the NRHP, proceed to SOP 4: Assessing effects of Undertaking on Historic Properties.

2.3 Resolution of Disputes over Eligibility/Non-Eligibility.

If FTHCRM encounters a difference of opinion in the determination of an historic properties eligibility for inclusion in the NRHP as a result of consultation with interested parties per evaluation procedures in the ICRMP, then a submission will be made to the Keeper of the National Register of Historic Places in accordance with AAP section 3.5(f)(1)(ii).

SOP 3: DETERMINING APPLICABILITY OF CATEGORICAL EXCLUSIONS AND/OR EXEMPTIONS

After determining an undertaking and the associated APE defined under SOP 1, FTHCRM shall determine if an undertaking is exempted from further review as stipulated in this HPC. Exempted undertakings are defined in AAP Section 4.5 as quoted in SOP 2.1. If the undertaking is exempted from further review, FTHCRM will document this determination in the project file. No further review of the undertaking will be required under SOPs 1 through 8 of this HPC. If FTHCRM decides that the undertaking is not exempted under this HPC, the review process will continue applying the SOPs in Fort Hood's HPC.

3.1 Exempted Undertakings

The [AAP](#) Section 4.5 identifies the following activities as exempted undertakings:

- Undertakings addressed through a fully executed nationwide Programmatic Agreement or other Program Alternative executed in accordance with 36 CFR Part 800.14.
- Undertakings categorically excluded by Fort Hood's HPC in section 2.6 and pursuant to AAP Section 3.5(d).
- Undertakings where there is an imminent threat to human health and safety. Such actions include:
 - in-place disposal of unexploded ordnance;
 - disposal of ordnance in existing open burning/open detonation (OBOD) units;
 - emergency response to releases of hazardous substances, pollutants, and contaminants; and
 - military activities in existing designated surface danger zones (SDZs).

3.1.1 Implementation of Army-wide Exempted Undertakings at Fort Hood

Fort Hood has two classes of built resources that are the subjects of fully executed nationwide Programmatic Agreements or other Program Alternatives executed in accordance with 36 CFR Part 800.14.

A nationwide Programmatic Agreement executed in 1986 allows the demolition of World War II temporary wood buildings and structures as an undertaking exempted from further review under this HPC.

The review of actions affecting Capehart and Wherry era housing is exempted under this HPC as the result of a [Program Comment on Capehart and Wherry Era \(1949-1962\) Army Family Housing, Associated Structures, and Landscape Features](#) negotiated with the Council.

FTHCRM will determine that an undertaking is exempted from review under the nationwide Programmatic Agreements and document the decision in the project file and appropriate [NEPA](#) records.

3.2 Categorical Exclusions by Categorized Undertakings

Fort Hood and its consulting parties have identified the types of activities that are typically undertaken by the installation in conducting day-to-day activities, proposed construction projects, training, and other installation missions. Some activities or actions are unlikely to adversely affect historic properties. The following types of activities have been identified as categorical exclusions that will not require further processing under SOPs 1 through 8 of this HPC.

FTHCRM will determine if an activity qualifies as a categorical exclusion and document such determination in the project file and appropriate [NEPA](#) records. The determination will be based on the undertaking detailed description and the identification of historic properties within the APE.

[THIS LIST IS FOR DISCUSSION ONLY AND WILL BE NEGOTIATED BY CONSULTING PARTIES.]

Maintenance and Repair Activities Affecting Buildings

- Maintenance and repair of built resources that are less than fifty years old, and does not qualify under the criteria considerations for properties achieving significance within the past fifty years.
- Minor exterior maintenance of potentially historic buildings, such as exterior painting of previously painted surfaces, maintaining exterior gutters, and removal of non-historic materials, that do not alter or damage historic fabric.
- Minor interior maintenance of potentially historic buildings, such as interior painting, upgrading interior utilities, or installation of fire, smoke and security detectors, that are not visible on the building exterior and do not alter or damage historic fabric.
- Minor exterior repairs, such as gutter replacement, replacement of broken window glass, roof repairs, as long as the action does not alter or damage historic fabric and the materials used in the repair are replaced in-kind.
- Minor interior repairs, such as upgrades of non-historic bathroom and kitchen fixtures, as long as action does not damage or alter historic fabric.

Rehabilitation, Adaptive Reuse, Renovation, and Substantial Alteration

- Rehabilitation, renovation, substantial alteration of Wherry and Capehart-era housing units.
- Interior renovations and upgrades to World War II temporary buildings.
- Interior renovations and upgrades to buildings and structures younger than 50 years, and does not qualify under the criteria considerations for properties achieving significance within the past fifty years

Demolition

- Demolition of buildings, structures, or objects that have been previously evaluated for [NRHP](#) eligibility and have been determined to be ineligible for the NRHP, provided the demolition will have no effect (physical or visual) on NRHP-listed, eligible, or potentially eligible historic properties.
- Demolition of built resources that are less than fifty years old, provided the resource does not qualify under the criteria considerations for properties achieving significance within the past fifty years.
- Demolition of World War II temporary buildings and structures.
- Demolition of Wherry and Capehart-era housing units.

Military Training Activities

- Training activities that occur in areas where no historic properties are known to be located.

Firing Range Activities

- Firing into active ranges.
- Explosive Ordnance Demolition (EOD) activities in currently established EOD areas.

Landscape Maintenance

- Maintaining current active agricultural leases.
- Reseeding.

- Mowing and controlled burning, and maintenance associated with such activities in areas where no historic properties are located.
- Grounds maintenance of graves in established active cemeteries.

Road/Utility Maintenance and New Construction

- Plowing within the existing fire lanes.
- Routine maintenance work within existing roads, fire lanes, trails, mowed areas, ditches, or existing utility right of ways that does not involved earth disturbing activities. Please note: Any work that requires widening or deepening of existing roads and utilities and work involving historic roadways and features within historic districts will be reviewed under this HPC.

Miscellaneous Ground-Disturbing Activities

- The use of currently active borrow pits.

SOP 4: ASSESSING EFFECTS OF UNDERTAKINGS ON HISTORIC PROPERTIES

This SOP provides for the determination of the effects of an undertaking on historic properties. Effect is defined in the [AAP](#) as “alteration to the characteristics of a historic property that qualify it for inclusion in or make it eligible for inclusion in the National Register of Historic Places.” The following sub-sections outline the decisions and actions to be made to meet the HPC decision-making process requirements.

4.1 Assessment of Effects

Assessment of effects is performed for each historic property within the APE. The process is to review FTHCRM databases and documentation to define the characteristics that qualify the historic property for inclusion in or eligibility for inclusion in the [NRHP](#). Once these characteristics are defined, the undertaking description is reviewed to define the impacts in these characteristics.

4.1.i. No Historic Properties Affected

If FTHCRM finds that the characteristics of the historic properties will not be altered by the undertaking, document determination as “No Historic Properties” and provide appropriate documentation to undertaking proponent. SOPs 4 through 8 of the HPC decision-making process are null and void.

4.1.ii. Historic Properties Affected

If FTHCRM finds that the characteristics of the historic properties will be altered by the undertaking, document determination as “No Historic Properties Affected”. Proceed to Section 4.2 Assessment of Adverse Effects.

4.2 Assessment of Adverse Effects

If FTHCRM determines that historic properties are affected in the undertaking APE, FTHCRM shall determine if these effects are adverse, i.e. cause damage or destruction to the characteristics that make the historic property eligible for listing in the NRHP. The following sub-sections differentiate between “no adverse effect” and “adverse effect” which will trigger the next step in the decision-making process.

4.2.i. Finding of No Adverse Effect

FTHCRM shall make a finding of no adverse effect when:

4.2.i.a. The undertaking's effects do not alter, directly or indirectly, any of the characteristics of a historic property that qualify it for inclusion in the [NRHP](#), in a manner that would diminish the historic property's integrity of location, design, setting, materials, workmanship, feeling, or association; or

4.2.i.b. The undertaking is modified or conditions are imposed to avoid adverse effects per review of SOP 7 Applying best Management Practices. Conditions might include the proponent agreeing to follow the FTHCRM plans for rehabilitation to ensure consistency with the Secretary of the Interior's [Standards for the Treatment of Historic Properties](#) and applicable guidelines.

A determination of no adverse effect and all required project modifications and conditions agreed to in section 4.2.1.b will be documented in the project file. No further action is required under SOPs 5 through 8 of this HPC.

4.2.ii. Finding of Adverse Effect

FTHCRM shall find an adverse effect when the undertaking may alter, directly or indirectly, any of the characteristics of a historic property that qualify it for inclusion in the [NRHP](#). Examples of alteration of characteristics include but are not limited to integrity of location, design, setting, materials, workmanship, feeling, or association. Adverse effects may include reasonably foreseeable effects caused by the undertaking that may occur later in time, be farther removed in distance, or be cumulative. Any finding of adverse effect shall be documented in the project file and FTHCRM will proceed to sub-section 4.3 Determination of Undertaking Potential for Modification.

4.3 Determination of Undertaking Potential for Modification

When FTHCRM Identifies and adverse effect on an historic property, consultation will be implemented with the undertaking proponent to determine if the undertaking can be modified to achieve a non-adverse effect determination.

4.3.i. If FTHCRM and the proponent determine the undertaking can be modified to achieve a no adverse effect determination, per SOP 8, then the modifications will be documented and FTHCRM will proceed to sub-section 4.2.i. Finding of No Adverse Effect and complete documentation and the decision-making process.

4.3.ii. If FTHCRM and the proponent determine the undertaking can NOT be modified to achieve a no adverse effect determination, then FTHCRM will proceed to SOP 7 Treating or mitigating Adverse Effects. This will trigger the preparation of appropriate NEPA compliance documentation per 32 CFR Part 651 Environmental Analysis of Army Actions (AR 200-2) if such documentation has not already been initiated.

SOP 5: TREATMENT OF ADVERSE EFFECTS

Treatment of adverse effects is handled through the application of standardized treatments based on the historic properties characteristics affected and the identified impacts of the undertaking. These standardized treatments are part of FTHCRM NHPA Section 110 program and are presented in the ICRMP. Consultation with defined interested parties with respect to the different historic property types shall also be a part of determining appropriate treatment of adverse effects on historic properties within an undertaking APE.

SOP 6: DOCUMENTING ACCEPTABLE LOSS

If after considering all possible alternatives and treatments that would mitigate the adverse effects of an undertaking on a historic property, Fort Hood's land manager the Garrison Commander, may make a determination to proceed with an undertaking without implementing alternatives or treatment measures. This is only done when implementing alternatives or treatment measures are not in the best public interest or are not financially or otherwise feasible. When this decision is made, the following procedures will be implemented:

6.1 Document Decision

The Fort Hood Installation Commander or designee must document the decision in the project file for the project and in appropriate NEPA compliance documentation. Documentation will include a description of how the SOPs were implemented and a rationale for why best management practices, alternatives to the undertaking, or mitigation measures were not appropriate or possible. The documentation must also include a description of the undertaking and all historic properties that will be affected.

6.2 Consideration of Comments

The NEPA compliance documentation will be distributed to those parties routinely notified of [NEPA](#) activities at Fort Hood, including the TxSHPO. Parties have thirty days from the date documentation is made available to the public to provide comments. The Installation Commander will consider all comments and respond in writing to the Council and consulting parties, providing documentation of the decision. Fort Hood will not implement the undertaking until after Fort Hood has responded to any comments from the Council per the AAP Section 3.5(f)(1)(vi).

SOP 7: APPLYING BEST MANAGEMENT PRACTICES

This SOP provides for the consideration and application of historic preservation management principles with emphasis on avoiding adverse effects and meeting identified HPC preservation goals. When the FTHCRM determines that a project will adversely affect historic properties in accordance with SOP 4 above, the best management practices in this SOP should be applied, to the extent feasible, to avoid or reduce those effects. The NEPA compliance process may require consideration of alternatives. When feasible, these alternatives will utilize shared information and documentation from other sources. All decisions made under this SOP will be documented in the project files.

7.1 Archeological Sites

- When possible, projects will be planned utilizing several potential locations so that conflicts with significant sites can be avoided without project delay.
- When proposed undertakings are determined to have a potential effect on sites, Fort Hood will, to the extent feasible, avoid the adverse effect by modifying the project design or project location so that the site is not impacted.
- Sites located in areas where physical damage from erosion, vandalism, or exposure to the environment is likely to occur will receive protective measures and periodic monitoring.

7.2 Properties of Traditional Religious and Cultural Importance

- When possible, projects will be planned utilizing several potential locations so that conflicts with properties of traditional religious and cultural importance can be avoided without project delay.
- When proposed undertakings are determined to have a potential effect on properties of traditional religious and cultural importance, Fort Hood will, to the extent feasible, avoid the adverse effect by modifying the project design or project location so that the property is not impacted.
- Properties located in areas where physical damage from erosion, vandalism, or exposure to the environment is likely to occur will receive protective measures and periodic monitoring.

7.3 Built Resources

- All preservation, rehabilitation, and restoration will, to the extent feasible, follow the Secretary of the Interior's [Standards for the Treatment of Historic Properties](#).
- As a matter of policy and subject to availability of funds, Fort Hood will attempt to adapt historic buildings and structures for reuse rather than demolishing or mothballing them.

- Historic buildings will be inspected by FTHCRM, or a designee, for maintenance problems and signs of deterioration.

SOP 8: REVIEWING ALTERNATIVES FOR UNDERTAKINGS WITH ADVERSE EFFECTS ON HISTORIC PROPERTIES

8.1 Review of Project Alternatives

While Fort Hood will avoid or minimize adverse effects through the application of best management practices, there are times when best management practices are not feasible or an undertaking cannot avoid adversely affecting a historic property. In the latter case, a thorough review of alternatives will take place prior to the application of any measures to mitigate adverse effects on historic properties. Consideration of alternatives may be required in the NEPA compliance process. Alternatives identified should be evaluated as options to avoid or minimize effects to historic properties.

If it is determined that an activity will have an adverse effect on historic properties in accordance with SOP 4 and following SOP 7, Fort Hood will conduct a further review of project alternatives in an effort to find a feasible alternative that would avoid the adverse impacts. When the historic property is a building, and the project involves demolition, the evaluation of alternatives for the historic property will include the calculation of the cost of alternatives. The FTHCRM will document the outcomes of consideration of all alternatives in the project file.

For all historic properties, FTHCRM will consider the following alternatives.

8.1.1 Avoidance

This project alternative provides for avoidance of adverse impacts altogether. This is accomplished by not proceeding with the project or that part of the project that will have the impact, or by relocating a project or features of a project to avoid impacts to historic properties. Prioritized alternative locations may have been identified through the NEPA compliance process, and would provide options with minimal delays.

8.1.2 Minimize Impact

Minimize the unavoidable adverse impact by limiting the degree or magnitude of the action and its implementation. This alternative seeks to limit construction impacts, to protect temporarily a historic property until permanent treatments can be applied, and/or to control the impacts through monitoring and oversight.

8.1.3 Preserve, Rehabilitate, or Restore the Affected Environment

This alternative allows for project redesign when historic properties are affected, so that the historic property is preserved, rehabilitated, or restored in compliance with the Secretary of the Interior's [Standards for the Treatment of Historic Properties](#).

8.1.4 Adaptive Reuse

Historic properties that are no longer needed or suitable for their original use will, to the extent feasible, be considered for an alternative use that would support other installation missions. The historic property will be, to the extent feasible, adaptively reused in compliance with the Secretary of the Interior's [Standards for the Treatment of Historic Properties](#).

8.1.5 Ongoing Preservation and Maintenance

This alternative allows for the reduction or elimination of the cumulative impact of an undertaking through preservation and maintenance operations during the life of the action. Examples include securing buildings and structures from exposure to weather and protection of sites from disturbance and erosion.

8.1.6 Historic Property Relocation

Historic property relocation is rarely a favored option. However, in some instances it may offer the best alternative for the preservation of a historic property.

8.1.7 Transfer, Sale, or Outgranting of Historic Property Ownership

If a historic property can no longer be used in support of Fort Hood's mission, outgranting of the historic property or title transfer of ownership to another Federal agency, state or local government, or organization should be considered. If this alternative is pursued, covenants that provide for the historic property's long-term preservation should be attached to the real estate outgrant or deed.

8.1.8 Mothballing

This alternative provides for sealing a historic building or structure from the elements to protect it temporarily from the weather and secure it from vandalism. The following procedures for properly mothballing a building or structure are based on the [NPS Preservation Brief 31: Mothballing Historic Buildings](#):

- document the architectural and historical significance of the building or structure;
- prepare a condition assessment of the building or structure;
- structurally stabilize the building or structure, based on a professional condition assessment;
- exterminate or control pests, including termites and rodents;
- protect the exterior from moisture penetration;
- secure the building or structure and its component features to reduce vandalism or break-ins;
- provide adequate ventilation to the interior;
- secure or modify utilities and mechanical systems; and
- develop and implement a maintenance and monitoring plan for protection.

8.1.9 Monitoring During the Project

Historic properties may be monitored during project implementation to prevent and correct impacts as they occur.

8.2 Economic Analysis for Historic Building/Structure Demolition and Management

The economic analysis procedures discussed here are designed to assist Fort Hood personnel in making valid assessments for the above-referenced actions.

8.2.1 Elements of a Cost Data Analysis

8.2.1.1 Cost Considerations

- Size. The size of the building/structure, or unit, is directly proportional to the maintenance and repair cost necessary to sustain the condition of the unit and prevent deterioration. The larger the unit (more roof area, square feet of walls and floors), the more maintenance and utilities funding required.
- Age. Older units, although built to last (brick walls, tile or slate roofs), may incur additional repair costs if they contain lead-based paint or asbestos hazards. They also may be in the age range where the building components such as roof systems, water and sanitary lines, and electrical wiring are failing and need replacement.
- Building Materials. Generally, many building materials used on historic units are of higher quality than contemporary materials and cost more per unit of measure. Therefore, the initial cost of repair or replacement is much higher than on a non-historic unit. However, the overall life of the historic material may be many times longer than the life of contemporary building materials. In the long run, the more expensive first-time repair costs of historic units may be more cost effective.
- The disposal cost for hazardous materials may be higher than that of other building materials. This issue must be addressed in the demolition of buildings as well as the replacement of materials.
- Cost Per Unit. Often due to the large size of historic units, the average yearly cost to maintain and repair historic units is 2 to 2.5 times the cost for non-historic units. These costs do not include infrastructure repair costs such as improvements to roads and utility lines.
- Costs per Square Foot. Conversely, the cost of maintenance and repair per square foot remains approximately the same for historic and non-historic units, and historic units usually provide a higher quality of life for their users. Generally, older units are better designed, employ higher-grade materials, and provide more space per occupant than more recent units performing the same function.
- Utility Costs. Utility costs include electricity, gas, water, and sewer. Utility expenses generally are higher in historic units because the older units are larger than recently constructed units. If all of the electrical, plumbing, and HVAC systems are removed, they should be replaced 100 per cent. Code would probably also require the installation of a sprinkler system for fire protection, and any new use would require modern communication systems.
- Compliance Costs. Certain laws or compliance agreements might require the replacement of some materials. Expenses associated with complying with Federal regulations could add to the overall maintenance costs of historic units. Repairing or replacing historic unit components containing hazardous materials such as lead-based paint and asbestos may increase the repair costs. Although in-place management of lead-based paint is often appropriate, certain circumstances might require its abatement. Refer to [Residential Lead Based Paint Hazard Reduction Act](#) for guidance. Compliance with [Section 106](#) of the

[NHPA](#) requires the identification, evaluation, and treatment of historic properties. The personnel or contract costs to perform this work can be significant.

8.2.1.2 Cost Data Conclusions

The operation and maintenance cost for a historic unit is on average over twice the cost of a non-historic unit. Although most of this additional cost can be attributed to the larger sizes of historic units, some of the higher costs can be attributed to the types of materials originally employed. Many historic properties use materials that are now considered hazardous and might require abatement. In other cases, higher quality materials were used. The use of historically appropriate materials often increases the cost; however, this can be offset by the longer life of the materials used. Cost data conclusions must be included in the project file for the undertaking.

8.2.1.3 Layaway Economic Analysis Model

FTHCRM may choose to use the [Layaway Economic Analysis](#) (LEA) model for historic units. The LEA report must be included in the project file for the undertaking. The [LEAAECLEA](#) is a computer software program developed to assist the user in determining costs for demolition, layaway, and caretaker maintenance of historic units. The computer program is designed to assist Army decision makers in determining the best course of action for handling excess historic units. The program provides an estimate of the relative costs of three alternatives: layaway and reactivation if needed in the future; demolition and reconstruction if needed in the future; and, continued use with renovation to a satisfactory condition. Cost adjustments include geographical location, climate, inflation, and local cost factors.

The basic LEA report provides the summary costs per square foot of the activities associated with demolishing, laying away, replacing, renovating, and using units.

The LEA produces cost estimates from descriptions of the units and their conditions. Without an on-site inspection and a detailed design for renovation, only a ballpark estimate of costs is possible. The LEA program provides estimates for Army facilities using standard cost data obtained from recognized sources. The data are contained within the software program in embedded databases.

SOP 9: REVIEW AND MONITORING OF THE HPC

Fort Hood will host an annual meeting with consulting and interested parties to review the effects of the past year's undertakings on historic properties at Fort Hood

9.1 Purpose of Review and Monitoring

The review and monitoring meeting has three primary purposes: to review the past year's undertakings affecting historic properties, to review programmed undertakings, and to review the implementation of the SOPs. Fort Hood will document the annual review meeting, and this documentation will be distributed to consulting parties after the conclusion of the meeting.

9.1.1 Review Past Undertakings

Fort Hood and its consulting parties will review selected undertakings that were completed during the previous year. The purpose of the review is to get a sense of how the undertakings were handled, and if they were handled in accordance with the SOPs in this HPC. In order to achieve this goal, Fort Hood will provide appropriate data on classes of undertakings and their resolution and documentation related to the undertakings to the consulting parties one month prior to the annual meeting.

9.1.2 Review Programmed Undertakings

Fort Hood will identify those programmed undertakings that are scheduled, or are likely to be scheduled, for the next fiscal year. Consulting parties will have an opportunity during the meeting, or through other forms of communication, to express their views on appropriate methods of identification, evaluation, and treatment of historic properties likely to be affected by these

undertakings. These programmed undertakings will form the basis for review during the next meeting held with consulting parties.

9.1.3 Review the Historic Properties Component SOPs

Fort Hood and its consulting parties will review any of the SOPs in need of modification. In order to efficiently and effectively accomplish the historic preservation goals set out in the HPC, it might be necessary to modify some of the SOPs. SOPs that do not consistently achieve the desired goals will be considered for amendment.

9.2 Review and Monitoring Schedule

A review and monitoring meeting will take place with all consulting parties on an annual basis, with the first meeting scheduled for one year from the date of certification of this HPC. Since it is unlikely that all consulting parties will have the same level of interest in all historic properties on the installation, Fort Hood may meet at different times with those consulting parties with special interests in sites, properties of traditional religious and cultural importance, or built resources.

SOP 10: OBTAINING TECHNICAL ASSISTANCE

In recognition that consulting parties (including the SHPOs, and the Federally recognized Indian Tribes), Federal agencies (the Council and the AEC), and some private and public organizations have valuable expertise in the management of historic properties, FTHCRM has implemented various programs to obtain technical assistance. These programs are part of the overall NHPA Section 110 management program and described in the ICRMP.

SOP 11: INADVERTENT DISCOVERIES/POST REVIEW DISCOVERIES

- While every effort is made to review undertakings and potential undertakings for impacts on historic properties as well as all program activities, there are occasions where undertakings may reveal previously unknown historic properties. Guidance for addressing inadvertent discoveries, post-project undertaking discoveries and emergencies is located within the ICRMP developed under AR 200-4 and part of overall FTHCRM program established under NHPA section 110.

SOP 12: GOVERNMENT-TO-GOVERNMENT CONSULTATION WITH FEDERALLY RECOGNIZED INDIAN TRIBES

Fort Hood has a long history of interaction with Native American peoples and Tribes. The Federally recognized Indian Tribes with historical ties to the Fort Hood region include the Caddo Indian Tribe, the Comanche Indian Tribe, the Kiowa Indian Tribe, the Mescalero Apache Indian Tribe, the Tonkawa, and the Wichita and Affiliated Tribes (Keechi, Waco & Tawakonie).

The U.S. government has recognized these Tribes as sovereign nations in treaties and currently recognizes them as political entities with a government-to-government relationship with the United States. Consultation with Federally recognized Indian Tribes occurs at the Installation Commander level.

Fort Hood has interacted with Tribal peoples in many contexts and on many levels. FTHCRM coordinates all aspects of relationships between Native American peoples and the Fort Hood.

For the purpose of this HPC, government-to-government consultations between Fort Hood and the Tribes will occur with respect to undertakings defined in SOP 1 Identifying Undertakings and Area of Potential Effects. All Tribes interested in the historic resources at Fort Hood will be invited to the annual review and monitoring meeting. Additional consultation meetings may be scheduled with Tribes as appropriate. Comprehensive Agreements developed in consultation with the Native American groups in the ICRMP shall define all consultation procedures under the HPC and other FTHCRM program activities.

SOP 13: EXTERNAL COORDINATION AND SHARED PUBLIC DATA

The primary process for notification of stakeholders, consulting parties, interested parties, and the public of undertakings that affect cultural resources at Fort Hood will be documentation prepared and distributed in compliance with the National Environmental Policy Act ([NEPA](#)). The documentation required under NEPA compliance is outlined in AR 200-2. Policies and procedures for the early integration of environmental considerations into the planning and decision-making process also are established in 32 CFR Part 651 (AR 200-2). Fort Hood's goal is to integrate the reviews for undertakings affecting historic properties with environmental reviews and decision-making actions. Early planning and inclusion in the Installation Master Planning process will allow efficient program or project execution later in the process. Decision makers will be informed of and will consider the affects of undertakings on historic properties and environmental consequences at the same time. Coordination about historic resources should occur no later than the scoping phase of the project and progresses concurrently with the NEPA process. Through this process, appropriate data will be released via consulting and interested parties request per AAP and NHPA requirements.

**SOP 14: COORDINATION FOR EXCAVATION USING FORT HOOD DIG
PERMIT FORM FTH200X1**

Any undertaking that involves any amount of excavation is required to obtain a Coordination for Land Excavation permits From 200X1 (Dig Permit). Fort Hood Regulation 200-1, Environment and Natural Resources, mandate acquisition of this permit. Excavation is defined as any movement of soil (mechanical or hand digging), and includes digging, staking and any other type of ground disturbance or penetration. Excavation actions include but are not limited to tank ditches, battle positions, fox holes, foundation excavations, utility line ditches, grading, post holes, borrow pits, stakes, grounding rods, any hole or insertion. For training areas, this also includes any mechanical excavation or scraping at any depth, by shovel or other means. Details on the policy, punitive measures for not obtaining a dig permit, responsibilities and guidelines are provided in Fort Hood Regulation 200-1 Environment and Natural Resources.

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APPENDIX A: COMMONLY USED ACRONYMS

AAPPSO - Army Acquisition Pollution Prevention Support Office
ACHP - Advisory Council on Historic Preservation
ACSIM - Assistant Chief of Staff for Installation Management
ACTS - Army Compliance Tracking System. Now known as the Environmental Quality Report (EQR)
AEARC - Army Environmental Awareness Resource Center
AEC - Army Environmental Center (also USAEC)
AHERA - Asbestos Hazard Emergency Response Act of 1986
AHPA - Archeological and Historic Preservation Act of 1974
AICUZ - Air Installation Compatible Use Zone
AIRFA - American Indian Religious Freedom Act of 1978
ALMC - U.S. Army Logistics Management College
AMEDD - Army Medical Department.
AR - Army Regulation
ARPA - Archeological Resources Protection Act of 1979
ASA (IL & E) - Assistant Secretary of the Army for Installations, Logistics, and Environment
ASA (RDA) - Assistant Secretary of the Army for Research, Development, and Acquisition
AST - Above-ground Storage Tank
BACT - Best Available Control Technology
BCP - Base Realignment and Closure (BRAC) Cleanup Plan
BCT - BRAC Cleanup Team
BEC - BRAC Environmental Coordinator
BMP - Best Management Practice
BRAC - Base Realignment and Closure
BTC - Base Transition Coordinator
CA - Comprehensive Agreement
CAA - Clean Air Act
CAAA-90 - Clean Air Act Amendments of 1990
CBE - Categorization of the Built Environment
CEIHOT - Center for Environmental Initiatives and Hands-On Training
CEQ - Council on Environmental Quality
CERCLA - Comprehensive Environmental Response, Compensation, and Liability Act of 1980 amended by the Superfund Amendments and Reauthorization Act of 1986 (SARA)
CERFA - Community Environmental Response Facilitation Act
CERL - Construction Engineering Research Laboratory (also USACERL)
CEQ - Council on Environmental Quality
CFCs - Chlorofluorocarbons
CFR - Code of Federal Regulations
CM - Continuing Management
COB - Command Operating Budget
CONUS - Continental United States (including Alaska, Hawaii, Puerto Rico, Guam and the Virgin Islands)
CPSC - Consumer Products Safety Commission
CRM - Cultural Resource Manager
CRMP - Cultural Resource Management Plan (Superseded by ICRMP)
CRREL - United States Army Cold Regions Research Engineering Laboratory

CSA - Chief of Staff, Army
CTC - Cost-to-Complete
CWA - Clean Water Act (1972-1987)
CX - Categorical Exclusion
DA - Department of the Army
DA PAM - Department of the Army Pamphlet (also PAM)
DASA (ESOH) - Deputy Assistant Secretary of the Army (Environment, Safety and Occupational Health)
DASA (P) - Deputy Assistant Secretary of the Army (Procurement)
Db - Decibel
DCSOPS - Deputy Chief of Staff for Operations and Plans
DDESB - Department of Defense Explosives Safety Board
DEH - Directorate of Engineering and Housing
DEP - Directorate of Environmental Programs (also ODEP)
DERA - Defense Environmental Restoration Account
DERP - Defense Environmental Restoration Program
DESCIM - Defense Environmental Security Corporate Information Management
DIS - Directorate of Installation Support
DMI - Definition of Management Issues
DoD - Department of Defense
DOI - Department of Interior
DOL - Directorate of Logistics
DON - Department of the Navy
DONFPO - Department of the Navy Federal Preservation Officer
DOT - Department of Transportation
DPTM - Directorate of Plans, Training and Mobilization
DPW - Directorate of Public Works
DRMO - Defense Reutilization and Marketing Office
DSERTS - Defense Site Environmental Restoration Tracking System
DSHE - Directorate (Department) of Safety, Health and Environment
DSN - Defense System Telecommunications Network
EA - Environmental Assessment
EBS - Environmental Baseline Survey (replaces the Preliminary Assessment Screening (PAS) and covers Community Environmental Response Facilitation Act (CERFA) requirements)
ECAR - Environmental Compliance Assessment Report
ECAS - Environmental Compliance Assessment System
EIS - Environmental Impact Statement
ELS - Environmental Law Specialist
ENF - Enforcement Action
EO - Executive Order
EPA - United States Environmental Protection Agency
EPCRA - Emergency Planning and Community Right-to-Know Act of 1986
EPR - Environmental Program Requirements
EQCC - Environmental Quality Control Committee
EQR - Environmental Quality Report
ER,A - Environmental Restoration, Army
ESA - Endangered Species Act of 1973
FFA - Federal Facilities Agreement

FFCA - Federal Facility Compliance Act
FFDCA - Federal Food Drug and Cosmetic Act of 1938
FIFRA - Federal Insecticide Fungicide and Rodenticide Act of 1972
FNSI - Finding of No Significant Impact (also FONSI)
FONSI - Finding Of No Significant Impacts (also FNSI)
FOSL - Finding of Suitability to Lease
FOST - Finding of Suitability to Transfer
FR - Federal Register
FRA - Federal Records Act
FS - Feasibility Study
FSI - Forecast Significance of Impacts
FUDS - Formerly Used Defense Sites
FWS - U.S. Fish and Wildlife Service
FY - Fiscal Year
GIS - Geographic Information System
GOCO - Government-Owned Contractor-Operated
HABS - Historic American Building Survey
HAER - Historic American Engineering Record
HAP - Hazardous Air Pollutant
HAZMATS - Hazardous Materials (also HM)
HAZCOMM - Hazard Communication
HAZMIN - Hazardous Waste Minimization
HM - Hazardous Materials (also HAZMATS)
HMCC - Hazardous Materials Control Center
HQDA - Headquarters Department of the Army
HSMS - Hazardous Substances Management System
HSWA - Hazardous and Solid Waste Amendments (1984)
HPP - Historic Preservation Plans (superceded by ICRMPs)
I & M - Inspection and Maintenance
IAG - Interagency Agreement
IAP - Installation Action Plan
IAW - In Accordance With
ICAP - Installation Corrective Action Plan
ICRMP - Integrated Cultural Resources Management Plan
ICUZ - Installation Compatible Use Zone (now part of INMP)
ID - Identification
IM - Implementation
INMP - Installation Noise Management Program (incorporates the former Installation Compatible Use Zone (ICUZ) program)
INRMP - Integrated Natural Resources Management Plan
IOSC - Installation On-Scene Coordinator
IPM - Integrated Pest Management
IPMP - Integrated Pest Management Plan
IPR - In Progress Review
IR - Installation Restoration
IRA - Interim Response Action
IRDMIS - Installation Restoration Data Management Information System
IRP - Installation Restoration Program

IRT - Installation Response Team
ISCP - Installation Spill Contingency Plan
ISR - Installation Status Report
ISWM - Integrated Solid Waste Management
ITAM - Integrated Training Area Management
JAG- Judge Advocate General
LBP - Lead-based paint
LCTA - Land Condition Trend Analysis
LEPC - Local Emergency Planning Committee
LO - Lack of Objections
LRA - Local Reuse Authority
LRAM - Land Rehabilitation and Maintenance
LRC - Long-Range Component
LURS - Land Use Requirements Studies
MACOM - Major Army Command
MACT - Maximum Available Control Technology
MBTA - Migratory Bird Treaty Act
MC - Management Concerns
MCL - Maximum Contaminant Level
MFC - Memorandum For Correspondents
MILSPECs - Military Specifications
MOA - Memorandum of Agreement
MOA - Military Operations Area
MOU - Memorandum of Understanding
MP - Management Priorities
MPEO - Master Plan Environmental Overlay
MR - Military Munitions Rule
MSDS - Material Safety Data Sheet
NAAQS - National Ambient Air Quality Standards
NAF - Non-appropriated Fund
NAGPRA - Native American Graves Protection and Repatriation Act of 1990
NARA - National Archives and Records Administration
NAVFAC - Naval Facilities Engineering Command (also NAVFACENGCOM)
NAVFACENGCOM - Naval Facilities Engineering Command (also NAVFAC)
NAVFACINST - Naval Facilities Instruction
NAVFACHQ - Naval Facilities Headquarters
NAVFACNOTE - Naval Facilities Engineering Note. Executive summaries of HARP issues.
NCP - National Contingency Plan
NEPA - National Environmental Policy Act of 1969
NESHAP - National Emission Standards for Hazardous Air Pollutants
NFPA - National Fire Protection Association
NHPA - National Historic Preservation Act
NMFS - National Marine Fisheries Service
NOA - Notice of Availability
NOI - Notice of Intent
NOV - Notice of Violation
NOx - Nitrogen Oxide
NPDES - National Pollutant Discharge Elimination System
NPL - National Priorities List

NPS - National Park Service
NRHP - National Register of Historic Places
NTHP - National Trust for Historic Preservation
O & M - Operation and Maintenance
OB/OD - Open Burning/Open Detonation
OCLL - Office of the Chief of Legislative Liaison
OCONUS - Outside the Continental United States
OCPA - Office of the Chief of Public Affairs
ODEP - Office of the Directorate of Environmental Programs (also DEP)
ODC - Ozone-Depleting Chemical
ODS - Ozone-Depleting Substance
OEBGD - Overseas Environmental Baseline Guidance Document
OLA - Office of Legislative Affairs
OMB - Office of Management and Budget
OPNAVINST - Operations Navy Instructions
OPP - Office of Pesticide Programs, a division of the EPA
OSHA - Occupational Safety and Health Administration
P&D - Planning and Decision making
PA - Programmatic Agreement
PAM - Army Pamphlet (also DA PAM)
PAO - Public Affairs Office
PAS - Preliminary Assessment Screening. Replaced by the Environmental Baseline Survey (EBS)
PA/SI - Preliminary Assessment/Site Inspection
PCBs - Polychlorinated Biphenyls
pCi/L - Picocurie per liter
PDSC - Professional Development Support Center (Army Corps of Engineers)
pH - A measure of a liquid's acid/base properties
PLS - Planning Level Survey
POL - Petroleum Oil and Lubricant
POM - Program Objective Memorandum
POTW - Publicly Owned Treatment Works
PPBES - Planning Programming Budget and Execution System
PVNTMED - Preventive Medicine Activity
PWTB - Public Works Technical Bulletin
RA - Remedial Action
RAB - Restoration Advisory Board
RAP - Remedial Action Plan
RCRA - Resource Conservation and Recovery Act (1976)
RCS - Report Control Symbol
REC - Record of Environmental Consideration
REO - Regional Environmental Office
RFA - RCRA Facility Assessment
RFI - RCRA Facility Investigation
RFRA - Religious Freedom Restoration Act
RI - Remedial Investigation
RI/FS - Remedial Investigation/Feasibility Study
RMW - Regulated Medical Waste
ROD - Record of Decision

ROI - Region of Influence
RONA - Record of Non-Applicability
RPA - Reasonable and Prudent Alternatives
RPM - Reasonable and Prudent Measures
RPMP - Real Property Master Plan
RRSE - Relative Risk Site Evaluation
RTLTP - Range and Training Land Program
RTV - Rational Threshold Values
S&G - Standards and Guidelines
SARA - Superfund Amendments and Reauthorization Act (1986)
SDWA - Safe Drinking Water Act (1974)
SECARMY - Secretary of the Army
SECNAVINST - Secretary of the Navy Instruction
SERC - State Emergency Response Commission
SHPO - State Historic Preservation Officer (or Office)
SIP - State Implementation Plan
SJA - Staff Judge Advocate
SNAP - Significant New Alternatives Policy
SOFA - Status of Forces Agreement
SOK - Status of Knowledge
SOP - Standard Operating Procedure
SPCCP - Spill Prevention Control and Countermeasures Plan
SUA - Special Use Airspace
SWMU - Solid Waste Management Unit
TASC - Training and Audiovisual Support Center
TB - Technical Bulletin
TBEC - Treatment of Built Environment Categories
TBMED - Medical Technical Bulletin
TCA - Methyl chloroform, an industrial solvent
TCP - Traditional Cultural Property (or Place)
TG - Technical Guide
TJAG - The Judge Advocate General
TM - Technical Manual
TRADOC - United States Army Training and Doctrine Command
TRI - Training Requirements Integration
TRI - Toxins Release Inventory
TSCA - Toxic Substances Control Act of 1976
TSD - Treatment Storage Disposal
TSDF - Treatment Storage Disposal Facility
TWA - Time Weighted Average
UFAS - Uniform Federal Accessibility Standards
USAEC - United States Army Environmental Center
USACE - United States Army Corps of Engineers
USACHPPM - United States Army Center for Health Promotion and Preventive Medicine
USACERL - United States Army Construction Engineering Research Laboratory (also CERL)
USACPW - United States Army Center for Public Works
USAEC - United States Army Environmental Center
USAES - United States Army Engineer School
USATCES - United States Army Technical Center for Explosives Safety

USATHAMA - United States Army Toxic and Hazardous Materials Agency, now known (since 1993) as the United States Army Environmental Center (AEC)

USC - United States Code

USD (A) - Under Secretary of Defense for Acquisition

UST - Underground Storage Tank

VOC - Volatile Organic Compound

WES - United States Army Waterways Experiment Station

WRMP - Water Resources Management Plan

APPENDIX B: LAWS, REGULATIONS, EXECUTIVE ORDERS, AND GUIDANCE

Statutes and Regulations

This section lists the various legal requirements under which the program operates and available guidance from Federal, State, DOD, and DA sources.

NOTE: For Web version, Ctrl, Alt+Click Hyperlinks to the prescribed Regulatory URL

Statutes:

[Abandoned Shipwreck Act of 1987 43 USC 2101-2106](#)
[Antiquities Act of 1906 16 USC 431-433; 34 Stat. 225](#)
[Archeological and Historic Data Preservation Act of 1974 16 USC 469-469c](#)
[Archeological Resources Protection Act of 1979--ARPA -- 16 USC 470aa-470ll](#)
[Historic Sites Act of 1935 16 USC 461-467](#)
[National Environmental Policy Act--NEPA -- 42 USC 4321-4370c](#)
[National Historic Preservation Act of 1966, as amended -- NHPA -- 16 USC 470-470w](#)
[Native American Graves Protection and Repatriation Act of 1990--NAGPRA -- 25 USC 3001-3013](#)
[Public Buildings Cooperative Use Act 40 USC 601-619](#)
[Sikes Act--16 USC 670a-670o, 74 Stat. 1052](#)
[Sikes Act Improvement Amendment-1998](#)

Executive Orders:

[EO 11593](#) - Protection and Enhancement of the Cultural Environment
[EO 12512](#) - Federal Real Property Management
[EO 13007](#) - Indian sacred sites
[EO 13084](#) - Consultation and Coordination With Indian Tribal Governments

Presidential Memorandum:

[Government-to-Government Relations with Native American Tribal Governments](#)

Federal Regulations and Guidance:

[Advisory Council on Historic Preservation \(ACHP\), Protection of Historic Properties, 36 CFR 800](#)
[Council on Environmental Quality, Regulations Implementing the National Environmental Policy Act, 40 CFR 1500-1508](#)
[Department of the Interior, Curation of Federally-owned and Administered Archeological Collections, 36 CFR 79](#)
[Department of the Interior, Determinations of Eligibility for Inclusion in the National Register of Historic Places, 36 CFR 63](#)
[Department of the Interior, National Historic Landmark Program, 36 CFR 65](#)
[Department of the Interior, National Register of Historic Places, 36 CFR 60](#)
[Department of the Interior, Preservation of American Antiquities, 43 CFR 3](#)
[Department of the Interior, Supplemental Regulations \[per ARPA\], 43 CFR 7](#)
[Department of the Interior, Waiver of Federal Agency Responsibility under Section 110 of the National Historic Preservation Act, 36 CFR 78](#)
[Department of the Interior, The Secretary of the Interior's Standard for the Treatment of Historic Properties, 36 CFR 68](#)
[Regulations Implementing the National Environmental Policy Act, 40 CFR 1500-1508](#)

National Register Bulletins and Other Guidance Documents

[Guidelines for Documenting and Evaluating Historic Military Landscapes](#)
[How to Apply the National Register Criteria for Evaluation - National Register Bulletin 15 \(NRB 15\)](#)
[How to Complete the National Register Registration Form \(NRB 16A\) How to Evaluate and Nominate Designed Historic Landscapes \(NRB 18\)](#)
[Guidelines for Evaluating and Documenting Rural Historic Landscapes \(NRB 30\)](#)
[Guidelines for Evaluating and Registering Historical Archeological Sites and Districts \(NRB 36\) \(zip format\)](#)
[Guidelines for Evaluating and Documenting Traditional Cultural Properties \(NRB 38\)](#)

Secretary of the Interior Standards

[Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring and Reconstructing Historic Buildings](#)
[Standards for the Treatment of Historic Properties with Guidelines for the Treatment of Cultural Landscapes](#)
[Standards and Guidelines for Archeology and Historic Preservation](#)

Department of Defense (DoD) Regulations and Guidance:

[Department of Defense \(DoD\) Instruction 4715.3, Environmental Conservation Program, Protection of Archeological Resources, 32 CFR 229](#)
[American Indian and Alaskan Native Policy](#)

Army Regulations and Guidance:

[Army Regulation 200-1, National Environmental Preservation Act \(NEPA\).](#)
[Army Regulation 200-3, Natural Resource Management.](#)
[Army Regulation 200-4, Cultural Resources Management. AR 200-4](#)
[Department of the Army Pamphlet 200-4, Cultural Resources Management. AR Pam 200-4](#)

Fort Hood Regulations:

[FH 420-2, Environment and Natural Resources FH REGULATION 420-2](#)
[FH 420-27, Care, Maintenance, and Alterations of Facilities FH REGULATION 420-27](#)
[FH 350-40, Fort Hood Range Division Operating Procedures FH REGULATION 350-40](#)
[FH 210-190, Internment on the Fort Hood Military Reservation FH REGULATION 210-190](#)

Fort Hood Forms:

[FH FORM 420-X10](#)

Texas State Law

[Antiquities Code of Texas](#)

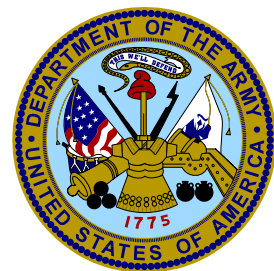
Texas State Guidance

[Rules of Practice and Procedure](#)
[Restricted Cultural Resource Information](#)
[Council of Texas Archeologists: Guidelines for Cultural Resource Management Reports](#)
[Archeological Survey Standards for Texas](#)

APPENDIX C: ARMY ALTERNATE PROCEDURES

ARMY ALTERNATE PROCEDURES TO 36 CFR PART 800

ADVISORY COUNCIL ON
HISTORIC PRESERVATION



**ARMY ALTERNATE PROCEDURES
TO 36 CFR Part 800**

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Section 1.0: Introduction

1.1 Purpose and Introduction

(a) *Purpose.* Section 106 of the National Historic Preservation Act (Act) requires Federal agencies to take into account the effects of their undertakings on historic properties and afford the Advisory Council on Historic Preservation (Council) a reasonable opportunity to comment on such undertakings. The section 106 process seeks to accommodate historic preservation concerns with the needs of Federal undertakings through consultation between the Army, and consulting parties and the public. The purposes of these alternate procedures are to provide for more efficient, consistent and comprehensive Army compliance with the goals and mandates of section 106 of the Act, to encourage more thoughtful consideration and early planning for historic properties, and to better support the Army's ability to accomplish its national defense mission. These alternate procedures further these purposes by establishing a proactive planning and management approach that stands in place of the formal project-by-project review process prescribed by the Council's regulations at 36 CFR Part 800. The approach set forth in these alternate procedures relies on the Army's existing internal planning, funding and decision making processes.

(b) *Relation to other provisions of the Act.* Section 106 is related to other provisions of the Act designed to further the national policy on historic preservation. References to those related provisions are included in these procedures to identify circumstances where actions may be affected by the independent obligations of those other provisions.

(c) *Relation to internal Army Regulations.* Army Regulation 200-4 "Cultural Resources Management" (AR 200-4), an internal agency policy, sets forth the Army's requirements for complying with the Act, the Archeological Resources Protection Act (ARPA), the Native American Graves Protection and Repatriation Act (NAGPRA), the American Indian Religious Freedom Act (AIRFA), Indian Sacred Sites under Executive Order 13007 (Indian Sacred Sites), Executive Order 13175, (Consultation and Coordination with Indian Tribal Governments), and 36 CFR Part 79 (Curation of Federally-Owned and Administered Archaeological Collections). The cornerstone of AR 200-4 is the policy requirement for all installations (other than those receiving a variance) to prepare an Integrated Cultural Resource Management Plan (ICRMP). The ICRMP integrates the entirety of the installation cultural resources program with the ongoing military mission, allows identification of potential conflicts between the installation's mission and cultural resources, and identifies actions necessary to meet statutory and regulatory requirements.

(d) These procedures utilize to the maximum extent possible existing internal Army program requirements to meet section 106 requirements. Each ICRMP developed by an installation shall have a Historic Properties Component (HPC) to ensure compliance with section 106 of the Act on a programmatic, as opposed to project-by-project, basis. Individual installations shall coordinate with internal staff elements, consult with consulting parties, and, where appropriate, consider the views of the public, on development of the HPC to ensure that the HPC includes adequate procedures for identification, evaluation, and treatment of historic properties over the five-year ICRMP planning period. Installations shall substantially involve consulting parties on development of the HPC, not the entire ICRMP, since other components of the ICRMP involve management of cultural resources beyond the statutory and regulatory authority and jurisdiction of consulting parties. Neither these procedures nor a certified HPC relieves the Army of its responsibilities to comply with other cultural resources laws such as NAGPRA and ARPA.

(e) *Optional application.* These alternate procedures recognize that certain installations may be successfully operating under the current review procedures in 36 CFR Part 800. Therefore, application of these procedures is optional. Authority rests with the installation commander to elect to comply with section 106 of the Act through application of these alternate procedures in lieu of 36 CFR Part 800. Installation commanders choosing to continue compliance through 36 CFR Part 800 instead of through these alternate procedures are strongly encouraged to revisit that determination on a periodic basis, and may choose to apply these alternate procedures at any time, in accordance with Section 1.2, below. In

addition, installation commanders operating under an HPC retain authority to revert to operation under 36 CFR Part 800 should they desire.

(f) *Role of consulting parties.* These alternate procedures promote early and effective participation of State Historic Preservation Officers (SHPOs), Tribal Historic Preservation Officers (THPOs), Federally recognized Indian Tribes, and Native Hawaiian organizations in Army planning and management of historic properties. These consulting parties play a regulatory role in development of and signature on the HPC. Once the HPC has been finalized, SHPOs, THPOs, Federally recognized Indian Tribes, and Native Hawaiian organizations will have continued opportunities to participate in implementation by reviewing and monitoring installation compliance and providing expertise concerning identification, evaluation, and management of historic properties. These alternate procedures establish minimum requirements for compliance. Installations are encouraged to tailor their planning documents to their particular needs, and, where appropriate, supplement these minimum requirements.

(g) *Role of the public.* The public includes national, regional, or local organizations and individuals with an interest in historic preservation, and local governments when not participating as consulting parties. Public views are important to a fully informed decision making process under these procedures. The process established by the National Environmental Policy Act (NEPA), as implemented by the regulations published by the Council on Environmental Quality and Army Regulation 200-2 "Environmental Effects of Army Actions" (AR 200-2) is designed to ensure meaningful public participation in Federal agency decision making. Installation commanders will use the NEPA process to the greatest extent practicable to provide for public participation under these procedures for installation activities.

(h) Nothing in these procedures changes any rights reserved to any Indian Tribe by treaty or otherwise granted to any Indian Tribe, Native Hawaiian organization, or to their members by Federal law, including Statute, regulation or Executive Order. These procedures are designed to ensure that the Army fully meets its responsibilities to consult with Federally recognized Indian Tribes and Native Hawaiian organizations when Army activities may affect historic properties of traditional religious and cultural importance to them.

1.2 Methods of Complying with Section 106 of the Act

(a) Each installation electing to comply with section 106 of the Act through these procedures in lieu of 36 CFR Part 800 will develop a Draft HPC, in consultation with consulting parties, and request certification of its HPC from the Council. Once certified, an installation shall comply with section 106 of the Act through implementation of its HPC for a five-year period.

(b) Prior to HPC certification, installations shall continue to comply with section 106 of the Act by reviewing undertakings pursuant to 36 CFR Part 800.

(c) Installations electing not to comply with section 106 of the Act through these procedures shall continue to comply with section 106 of the Act by following 36 CFR Part 800.

(d) Where the Army proposes to conduct any undertaking on Tribal land where a Federally recognized Indian Tribe has developed Tribal historic preservation regulations pursuant to section 101(d)(5) of the Act, and those regulations operate in place of review under 36 CFR Part 800, the Army shall follow those Tribal historic preservation regulations prior to approving and while conducting the undertaking.

1.3 Authority

(a) These procedures are promulgated pursuant to section 110(a)(2)(E) of the Act (16 U.S.C. 470h-2) which directs Federal agencies to develop procedures for implementing section 106 of the Act, and 36 CFR § 800.14(a) which authorizes Federal agencies, in consultation with the Council, to develop alternative procedures to implement the section 106 process, that, after Council concurrence, substitute

for the regulations set forth in 36 CFR Part 800. The Council retains final authority to determine whether the Army's alternate procedures are consistent with 36 CFR Part 800.

1.4 Scope

(a) These procedures apply to all levels of the Active Army, the Army National Guard, the U.S. Army Reserve, including all installations and activities under the control of the Army by ownership, lease, license, public land withdrawal, or, any similar instrument, where the Agency Official elects to comply with these procedures in lieu of 36 CFR Part 800. All of the above shall be referred to in these procedures as the Army, unless otherwise noted.

(b) These procedures do not apply to the Civil Works functions of the U.S. Army Corps of Engineers.

(c) These procedures shall not apply to installations or activities where the installation commander has elected, pursuant to Section 2.1, to continue to comply with section 106 of the Act through the process set forth under 36 CFR Part 800.

1.5 Definitions

Act means the National Historic Preservation Act of 1966, as amended (16 U.S.C. 470 et seq.).

Adverse effects are those effects of an undertaking that may alter, directly or indirectly, any of the characteristics of a historic property that qualify the property for inclusion on the National Register of Historic Places (National Register) in a manner that would diminish the integrity of the property's location, design, setting, materials, workmanship, feeling, or association. The criteria of adverse effect also require consideration of all qualifying characteristics of a historic property, including those that may have been identified subsequent to the original evaluation of the property's eligibility for the National Register. Adverse effects may include reasonably foreseeable effects caused by the undertaking that may occur later in time, be farther removed in distance or be cumulative.

Agency Official is the Army official with jurisdiction over an undertaking as set forth in Section 1.6(a).

Area of potential effects (APE) means the geographic area or areas within which an undertaking may directly or indirectly cause changes in the character or use of historic properties, if any such properties exist. The area of potential effects is influenced by the scale and nature of an undertaking and may be different for different kinds of effects caused by the undertaking.

Army means Active Army, Army National Guard, U.S. Army Reserve, and all installations and activities as described in Section 1.4.

Comment, when used in relation to the Council, means the findings and recommendations of the Council formally provided in writing to the Secretary of the Army under section 106 of the Act.

Consulting parties are those parties that have a consultative role in the section 106 process; these parties are the SHPO, the THPO, Federally recognized Indian Tribes, Native Hawaiian organizations, representatives of local governments, and applicants for Federal permits, licenses, assistance or other forms of Federal approval. Members of the public may participate as consulting parties upon the invitation of the installation commander. ■

Consultation means the formal process of seeking, discussing, identifying and considering the views of consulting parties. For purposes of these procedures, consultation with Federally recognized Indian Tribes means consultation on a government-to-government basis as defined below.

Coordination, for the purposes of these procedures, means the informal communication and exchange of information and ideas between consulting parties concerning historic preservation issues affecting the Army. Coordination is intended to be an informal process, on a staff-to-staff basis, for routine management issues as distinguished from the formal consultation and tribal consultation processes as defined by these procedures.

Council means the Advisory Council on Historic Preservation or a Council member or employee designated to act for the Council.

Day or days means calendar days.

Effect means alteration to the characteristics of an historic property that qualify it for inclusion in or make it eligible for inclusion in the National Register.

Federally recognized Indian Tribe, for the purposes of these procedures, means: (i) an Indian or Alaska Native Tribe, band, nation, pueblo, village or community within the continental United States presently acknowledged by the Secretary of the Interior to exist as an Indian Tribe pursuant to the Federally Recognized Indian Tribe List Act, Public Law 103-454; and (ii) Regional Corporations or Village Corporations, as those terms are defined in Section 3 of the Alaskan Native Claims Settlement Act (43 U.S.C. 1602), which are recognized as eligible for the special programs and services provided by the United States to Indians because of their status as Indians.

Government-to-government relations, for the purposes of these procedures, means relations formally established between the Army and Federally recognized Indian Tribes through their respective governmental structures. In recognition of a Federally recognized Indian Tribe's status as a sovereign nation, formal government-to-government relations are established and maintained directly between installation commanders and the heads of Tribal governments. In accordance with AR 200-4, installation commanders initiate government-to-government relations with Federally recognized Indian Tribes by means of formal, written communication to the heads of Tribal governments. Such letters should designate an installation official who is authorized to conduct follow-on consultations with the Tribe's designated representative. Installation commanders are encouraged to meet face-to-face with the heads of Tribal governments as part of the process to initiate government-to-government consultation. Any final decisions on installation HPCs that have been the subject of government-to-government consultation will be formally transmitted from the installation commander to the head of the Tribal government.

Historic preservation or preservation includes identification, evaluation, recordation, documentation, curation, acquisition, protection, management, rehabilitation, restoration, stabilization, maintenance, research, interpretation, conservation, and education and training regarding the foregoing activities or any combination of the foregoing activities.

Historic property means any prehistoric or historic district, site, building, structure, or object included in, or eligible for inclusion in, the National Register maintained by the Secretary of the Interior. The term includes artifacts, records, and remains that are related to and located within such properties. The term includes historic properties of traditional religious and cultural importance to a Federally recognized Indian Tribe or Native Hawaiian organization. The term "eligible for inclusion in the National Register" includes both properties formally determined as such in accordance with regulations of the Secretary of the Interior and all other properties that meet the National Register criteria.

Historic Properties Component (HPC) means, in accordance with these procedures, that portion of the ICRMP which relates directly to the implementation of section 106 of the Act. The HPC is a five-year plan that provides for installation identification, evaluation, assessment of effects, treatment, and management of historic properties, including those of traditional religious and cultural importance to a Federally recognized Indian Tribe or Native Hawaiian organization. The HPC is the basis upon which an installation's program is evaluated for certification for purposes of these procedures. While the HPC remains a component of the ICRMP, it stands alone as a legal compliance document under these procedures.

Installation means a grouping of facilities located in the same vicinity, which are under control of the Army and used by Army organizations. This includes land and improvements. In addition to those used primarily by soldiers, the term “installation” applies to real properties such as depots, arsenals, ammunition plants (both contractor and government operated), hospitals, terminals, and other special mission installations. The term may also be applied to a state or a region in which the Army maintains facilities. For example, the Army National Guard may consider National Guard facilities within a state to be one installation and the U.S. Army Reserve may consider Regional Support Centers to be installations. Under these procedures, a subinstallation may be certified individually or as part of its support installation.

Integrated Cultural Resources Management Plan (ICRMP) is a five-year plan developed and implemented by an installation commander to provide for the management of cultural resources in a way that maximizes beneficial effects on such resources and minimizes adverse effects and impacts without impeding the mission of the Army.

National Historic Landmark (NHL) means a historic property that the Secretary of the Interior has designated a National Historic Landmark pursuant to the Historic Sites Act of 1935, Public Law 100-17.

National Register means the National Register of Historic Places maintained by the Secretary of the Interior.

National Register Criteria means the criteria established by the Secretary of the Interior for use in evaluating the eligibility of properties for the National Register (36 CFR Part 60).

Native Hawaiian means any individual who is a descendant of the aboriginal people who, prior to 1778, occupied and exercised sovereignty in the area that now constitutes the State of Hawaii.

Native Hawaiian organization means any organization which (1) serves and represents the interests of Native Hawaiians, (2) has as a primary and stated purpose the provision of services to Native Hawaiians, and (3) has demonstrated expertise in aspects of historic preservation that are significant to Native Hawaiians. Such organizations include the Office of Hawaiian Affairs and Hui Malama I Na Kupuna ‘O Hawai‘i Nei.

NEPA process means the decision making process established by the National Environmental Policy Act as implemented by the regulations published by the Council on Environmental Quality and AR 200-2. The NEPA process involves preparation of a NEPA document, either a Record of Environmental Consideration, an Environmental Assessment (EA) or an Environmental Impact Statement (EIS), followed by a decision document. An EA results in either a Finding of No Significant Impact or Notice of Intent to prepare an EIS. An EIS results in a Record of Decision.

Professional standards means, for the purposes of these procedures, those standards set forth in the Secretary of Interior’s Standards and Guidelines for Archeology and Historic Preservation (48 FR 44716), which apply to individuals conducting technical work for the Army. Tribal members and Native Hawaiians are uniquely qualified to identify and assist in the evaluation, assessment of effect, and treatment of historic properties to which they attach traditional religious and cultural importance. When the Army requests assistance from Federally recognized Indian Tribes and Native Hawaiian organizations to aid in the identification, evaluation, assessment of effects and treatment of historic properties of traditional religious and cultural importance, such Tribal members and Native Hawaiians need not meet the Secretary of Interior’s Professional Qualifications Standards (48 FR 44738-44739).

Review and monitoring means an informal process in which an installation shall coordinate with consulting parties to discuss proposed undertakings for the upcoming year, results of plan implementation during the previous year, the overall effectiveness of the installation’s HPC, and the need for making amendments to it. At a minimum, this review and monitoring shall be conducted annually.

Sovereign or sovereignty, with respect to Federally recognized Indian Tribes means the exercise of inherent sovereign powers over their members and territories.

State Historic Preservation Officer (SHPO) means the official appointed or designated pursuant to section 101(b)(1) of the Act to administer the state historic preservation program or a representative designated to act for the State Historic Preservation Officer.

Surface Danger Zone means the area designated on the ground of a training complex (to include associated safety areas) for the vertical and lateral containment of projectiles, fragments, debris, and components resulting from the firing or detonation of weapon systems to include exploded and unexploded ordnance.

Tribal consultation means seeking, discussing, identifying and considering Tribal views through good faith dialogue with Federally recognized Indian Tribes on a government-to-government basis in recognition of the unique relationship between Federal and Tribal governments and the status of Federally recognized Indian Tribes as sovereign nations (see government-to-government relations). The Tribal Historic Preservation Officer (THPO) serves as the Tribal official for government-to-government consultation for undertakings affecting historic properties off Tribal lands only where the Tribal government has designated the THPO as the Tribe's designated representative responsible for carrying out such functions.

Tribal Historic Preservation Officer (THPO) means the Tribal official, appointed by the head of the Tribal government or as designated by a Tribal ordinance or preservation program, who has assumed the responsibilities of the SHPO for purposes of section 106 compliance on Tribal lands in accordance with section 101(d)(2) of the Act.

Tribal lands mean all lands within the exterior boundaries of any Indian reservation and all dependent Indian communities.

Undertaking means a project, activity, or program that is funded in whole or in part under the direct or indirect jurisdiction of the Army, including those carried out by or on behalf of the Army, those carried out in whole or in part with Army funds, and those requiring Army approval.

1.6 Participants

(a) Army.

(1) The Army Agency Official with jurisdiction over an undertaking takes legal and financial responsibility for section 106 compliance either through implementing these alternate procedures or continuing operation under 36 CFR Part 800. For purposes of these procedures, the Army Agency Official with jurisdiction over an undertaking is the installation commander or official representative designated by the commander. The Army Agency Official shall ensure that professional standards, as defined in Section 1.5, are met in the conduct of identification, evaluation, assessment of effects, and treatment of historic properties.

(i) Deputy Assistant Secretary of the Army (Environment, Safety and Occupational Health) (DASA (ESOH)) is the Army Federal Preservation Officer (FPO) responsible for policy, program direction and oversight of the Army's responsibilities under the Act. The DASA(ESOH) is responsible for ensuring the Army's implementation of these alternate procedures.

(ii) The ACSIM is the Army staff proponent for implementing the Act and Army-specific policy and guidelines set forth in AR 200-4. ACSIM functional responsibilities are carried out through the Director of Environmental Programs (DEP) and the Commander, U.S. Army Environmental Center as set forth in AR 200-4.

The ACSIM shall:

(A) Carry out the ACSIM's assigned staff functions in AR 200-4;

(B) Review HPCs and installation historic preservation programs in accordance with the staffing procedures set forth in Section 4.1; and,

(C) Serve as the Agency Official on the Army Staff for purposes of consultation and coordination with consulting parties and the public on development of these alternate procedures, amendment and implementing guidance.

(iii) Commanders of Major Commands; Commander, U.S. Army Reserve Command; and Director, Army National Guard (MACOM commanders) shall:

(A) Carry out the MACOM's historic property management and compliance responsibilities set forth in AR 200-4;

(B) Review installation programs to ensure that historic preservation compliance responsibilities under these procedures are implemented across all installations electing to comply with these procedures within their MACOM;

(C) Review installation HPCs, amendments, and program elements for consistency with these procedures and the certification criteria;

(D) When requested, participate in consultation on HPC certification, amendment and recertification to resolve objections; and,

(E) Assist installation commanders in establishing funding priorities to meet the requirements of these procedures, and assist in resolution of issues and objections regarding installation performance under these procedures.

(iv) Installation and Activity Commanders, Commanders of U.S. Army Reserve Regional Support Centers, and Adjutants General (installation commanders) shall:

(A) Carry out their assigned historic property management and compliance responsibilities set forth in AR 200-4;

(B) As the Agency Officials responsible for installation undertakings, ensure that such undertakings are implemented in accordance with either these procedures or 36 CFR Part 800;

(C) Develop a historic preservation program, including an HPC, in accordance with Section 3.0 and AR 200-4;

(D) Serve as the Agency Official responsible for consulting on HPC and its implementation with SHPOs, THPOs, Native Hawaiian organizations, and Federally recognized Indian Tribes when required under these procedures. Tribal consultation shall occur with Federally recognized Indian Tribes on a government-to-government basis, as defined in Section 1.5; and,

(E) Ensure that such consultation provides a reasonable opportunity for the SHPO, THPO, Federally recognized Indian Tribes, and Native Hawaiian organizations to identify their concerns with the identification, evaluation, assessment of effect and treatment of historic properties, and after consideration, address such concerns.

(F) If electing to implement these procedures:

(1) Sign an HPC, and amendments thereto, recognizing that the HPC is the installation's procedure for complying with section 106 of the Act;

- (2) Invite the SHPO, THPO, Federally recognized Indian Tribe or Native Hawaiian organization to consult in development of and sign the HPC;
- (3) Implement a signed HPC to comply with section 106 of the Act; and,
- (4) Prior to certification, comply with section 106 of the Act through review of undertakings under 36 CFR Part 800.

(b) Advisory Council on Historic Preservation.

- (1) The Council issues regulations to implement section 106 of the Act; provides guidance and advice on the application of its regulations, 36 CFR Part 800; oversees the operation of the section 106 process; enters into agreements with Federally recognized Indian Tribes under section 101(d)(5) of the Act; and approves Federal agency procedures for substitution of the Council's regulations. Consulting parties and the public, may at any time seek advice, guidance, and assistance from the Council on the application of these procedures.
- (2) For the purposes of these procedures, the Council reviews and evaluates HPCs and certifies that an installation is authorized to implement an approved HPC.

(c) State Historic Preservation Officer.

- (1) The SHPO administers the national preservation program at the State level and is responsible for conducting comprehensive statewide surveys of historic properties and for maintaining inventories of these properties. Under section 101(b)(3)(E) of the Act, SHPOs are directly responsible for advising and assisting Federal agencies, such as the Army, in carrying out their historic preservation responsibilities. For purposes of these procedures, the SHPO advises and consults with individual installations in the development, implementation, recertification and Major Amendment of the HPC.
- (2) The SHPO has access to expertise regarding historic properties within the State. The SHPO, throughout HPC implementation, may provide assistance to the installation commander and ensure access to and application of such expertise.
- (3) When participating as a consulting party, the SHPO is invited to sign the HPC.

(d) Federally Recognized Indian Tribes and Native Hawaiian Organizations.

- (1) Section 101(d)(6)(B) of the Act requires the Army to consult with any Federally recognized Indian Tribe and Native Hawaiian organization that attaches traditional religious and cultural importance to historic properties that may be affected by an undertaking. For Federally recognized Indian Tribes, this consultation may take place for historic properties located both on and off Tribal lands. Consultation with Federally recognized Indian Tribes shall be conducted as Tribal consultation and initiated on a government-to-government basis, and shall occur through the provisions of these procedures. While installation commanders must invite Federally recognized Indian Tribes to participate in government-to-government consultation, as sovereign nations, such Tribes may decline to participate.
- (2) Where an installation's undertakings may affect historic properties of traditional religious and cultural importance to a Federally recognized Indian Tribe or Native Hawaiian organization, that Tribe or organization shall be invited to participate as a consulting party on the development, implementation, recertification and Major Amendment to the HPC.
- (3) When participating as consulting parties, Federally recognized Indian Tribes and Native Hawaiian organizations shall be invited to sign the HPC.

(e) *Tribal Historic Preservation Officer.*

(1) Where the Secretary of the Interior has authorized a Federally recognized Indian Tribe to carry out some or all of the SHPO responsibilities on Tribal lands pursuant to section 101(d)(2) of the Act, the THPO acts as a consulting party on the development, implementation, recertification and Major Amendment to the HPC. The THPO participates as a consulting party when:

- (i) An installation's undertakings occur on or affect historic properties on Tribal lands; or,
- (ii) An installation's undertakings may affect a historic property of traditional religious and cultural importance to the Tribe both on and off Tribal lands, and the THPO is the Tribe's designated representative for government-to-government consultation.

(2) When the THPO has participated as a consulting party, the Federally recognized Indian tribe which he or she represents is invited to sign the HPC.

(f) *The Public.*

(1) The installation commander shall seek and consider the views of the general public regarding the development, implementation, and recertification of the HPC in a manner consistent with Section 3.5 and Section 5.2 below.

Section 2.0: Applicability of Procedures

2.1 Installation Determination

(a) Installation commanders electing to comply with these procedures in lieu of 36 CFR Part 800 shall document that determination in writing and provide notice to:

- (1) The ACSIM, through its MACOM;
- (2) The SHPO;
- (3) The Council;
- (4) The head of any Federally recognized Indian Tribe or Native Hawaiian organization that attaches traditional religious and cultural importance to any historic property on the installation or affected by installation activities; and,
- (5) The THPO for any Federally recognized Indian Tribe where historic properties on Tribal land will be affected by installation activities, including those properties of traditional religious and cultural importance to the Tribe.

(b) Installation commanders electing to continue compliance with section 106 of the Act through 36 CFR Part 800 as opposed to these procedures may revisit their decision at any time thereafter and elect to comply with these procedures by:

- (1) Filing the notice required by Section 2.1(a);
- (2) Establishing the necessary program elements set forth in Section 3.0; and,
- (3) Completing the certification process established by Section 4.0.

(c) When an installation commander operating under a certified HPC decides that the HPC is no longer appropriate, the installation commander may terminate the HPC by taking the following actions:

(1) Provide a notice of the installation commander's intent to terminate to all consulting parties 45 days prior to the effective date of termination. The notice of intent to terminate should provide a brief explanation for the decision to terminate;

(2) Invite the Council, MACOM, ACSIM, and consulting parties to provide their views on the proposed termination during the 45-day notification period, and consider those views during the 45-day period. The installation commander will only furnish additional notice to consulting parties when a decision to continue operation under the HPC is made; and,

(3) At the end of the 45-day period, revert to compliance with section 106 through 36 CFR Part 800.

(d) Installation commanders who have terminated their HPC may elect to implement these procedures at a later time through the certification process in Section 4.3.

Section 3.0: Program Elements for Installations Participating in the Alternate Procedures

3.1 Designation of Cultural Resource Manager (CRM) and Coordinator for Native American Affairs

(a) Each installation commander shall designate, consistent with AR 200-4, an installation CRM to coordinate the section 106 responsibilities required under these procedures. The installation commander will ensure that the CRM has appropriate knowledge, skills, and professional training and education to carry out installation cultural resources management responsibilities. The CRM shall ensure that all historic properties technical work, including identification and evaluation of historic properties, assessment and treatment of effects, and preparation of HPCs, is conducted by individuals who meet the applicable professional standards defined in Section 1.5.

(b) Each installation commander shall designate, consistent with AR 200-4, a Coordinator for Native American Affairs if there are Native American issues. The installation commander will ensure that the Coordinator for Native American Affairs has appropriate knowledge, skills, and professional training and education to conduct installation consultation responsibilities with Federally recognized Indian Tribes and Native Hawaiian organizations. The Coordinator for Native American Affairs is responsible for facilitating the government-to-government relationship and, when designated, carry out staff-to-staff consultation responsibilities with Federally recognized Indian Tribes. The Coordinator for Native American Affairs will have access to the installation command staff in order to facilitate direct government-to-government consultation.

(c) If the installation commander deems it appropriate, he or she will fill the Coordinator for Native American Affairs position with an individual other than the CRM.

3.2 Professional Standards for the Development of the HPC

(a) Prior to developing the HPC, the installation commander shall ensure that:

(1) The CRM is either qualified under the standards set forth in the Secretary of the Interior's Standards and Guidelines for Archeology and Historic Preservation, and/or has access to technical experts who meet these standards to identify, evaluate, assess effects to, and treat historic properties, and for certification purposes in Section 4.0 below; and,

(2) When such expertise is provided by Federally recognized Indian Tribes and Native Hawaiian organizations regarding identification of properties of traditional religious and cultural importance, they need not meet the Secretary of Interior's Standards and Guidelines for Archeology and Historic Preservation.

(b) The Army is responsible for all findings and determinations made by external parties. When an external party prepares a document or study, the Army is responsible for its content and ensuring that it meets applicable standards and guidelines.

3.3 Identification of Consulting Parties for HPC Development

(a) Prior to the development of the HPC, the installation commander shall:

- (1) Identify the SHPO(s) associated with the installation;
- (2) Identify the THPO(s) when installation activities may affect historic properties on Tribal lands;
- (3) Identify any Federally recognized Indian Tribes who may attach traditional religious and cultural importance to any historic properties on or off Tribal lands that may be affected by installation activities;
- (4) Identify any Native Hawaiian organization that may attach traditional religious and cultural importance to any historic properties that may be affected by installation activities;
- (5) In consultation with the SHPO(s), THPO(s), Federally recognized Indian Tribes, and Native Hawaiian organizations, identify other parties that are entitled, or should be invited to be consulting parties, including interested members of the public; and,
- (6) Invite consulting parties to participate in the development of the installation's HPC.

(b) Installation commanders should contact Federally recognized Indian Tribes early to establish a schedule and protocol for conducting consultation on a government-to-government basis for development of the HPC.

3.4 Consultation and Coordination for HPC Development

(a) Each installation commander shall develop a draft HPC in consultation with the parties identified in Section 3.3, above, and, in coordination with appropriate installation staff (including natural resource management; facilities/housing management; range management, testing, training, and operations; master planning; public affairs office; the CRM, the Coordinator for Native American Affairs, and the Staff Judge Advocate).

(b) The installation commander shall ensure that all parties participating in consultation are provided adequate documentation early in the process regarding the installation's mission and operations, historic properties under its control, and the installation command structure. The documentation should be provided to consulting parties at least 30 days in advance of the initial consultation meeting to allow for a full review prior to participation in HPC development.

(c) HPC development begins with an initial consultation meeting between installation staff and consulting parties to identify issues that should be addressed in the HPC. Consultation and coordination shall continue throughout HPC development to ensure adequate opportunity for these parties to fully participate in development of the HPC. Installations are encouraged to invite consulting parties to participate in workgroups for drafting the HPC, but, at a minimum, must, provide opportunities for periodic review, and comment on draft work products.

3.5 HPC Development

The installation commander shall prepare an HPC to include the following:

(a) *Introduction*: This is a description of the installation's past and present mission(s) to include information that describes the types of activities associated with each mission that might have an effect on historic properties. The introduction shall also identify where the CRM position, and, when appropriate, the Coordinator for Native American Affairs position, is located within the installation's organizational structure.

(b) *Planning Level Survey (PLS)*: The PLS, based on review of existing literature, records, and data, identifies the historic properties that are known, or may be expected to be present, on the installation. The PLS shall be updated as necessary to include additional information made available through the identification and evaluation of historic properties. The PLS shall, as appropriate:

(1) Provide locations of known historic properties, including historic properties having traditional religious and cultural importance to Federally recognized Indian Tribes or Native Hawaiian organizations, that have been listed in the National Register, or determined eligible for inclusion in the National Register, and those properties that require evaluation for determination of eligibility for the National Register;

(2) Be constructed in such a way that sensitive site information shall be excluded from the HPC, where distribution might jeopardize either the historic property or the confidentiality concerns of Federally recognized Indian Tribes and Native Hawaiian organizations;

(3) Establish an annual inventory schedule that identifies and prioritizes those areas of the installation that are programmed for undertakings in the next fiscal year to ensure that inventories and analyses of alternatives are completed early in the planning processes for these activities;

(4) Provide locations that have been previously inventoried where no historic properties have been identified;

(5) Provide information on current and projected future conditions of identified historic properties;

(6) Contain or provide reference to existing historic contexts, archeological sensitivity assessments, predictive models, and other relevant reports addressing historic properties on the installation;

(7) Provide a listing of any affiliated Federally recognized Indian Tribes or Native Hawaiian organizations, other consulting parties and members of the public having an interest in the historic properties associated with the installation.

(c) *Categorized Undertakings*: This section shall include:

(1) A summary of the categories of undertakings that the installation anticipates conducting over the five-year planning period and should serve as the basis for development of standardized treatments, under Section 3.5(e), where such activities have the potential to result in effects to historic properties. Categories of undertakings should include maintenance and repair, ground-disturbing activities, renovation, adaptive reuse, rehabilitation, substantial alteration, demolition, disposal through transfer, sale, or lease, and mothballing. This is not a list of individual undertakings;

(2) If available, a list of potential undertakings that the installation has programmed over the five-year planning period; and,

(3) Past and proposed undertakings that should be considered by consulting parties through the HPC's review and monitoring process required by Section 3.5(f)(2).

(d) *Categorical Exclusions*: The HPC should include a list of undertakings that are categorically excluded from review. This list of categorical exclusions, developed in consultation with consulting parties, is supplemental to the Army-wide exempt undertakings listed in Section 4.5. Final approval of an HPC's categorical exclusions, as provided for in 36 CFR § 800.14(c), will be made by the Council as part of the certification process; however, the Council may terminate a categorical exclusion at the Army's request or when the Council determines that the exclusion no longer meets the criteria of 36 CFR § 800.14(c)(1). The Council shall notify the Army 30 days before termination becomes effective.

(e) *Management Goals and Practices*: The purpose of this section is to establish proactive consideration of preservation concerns carried out by management practices that are integrated into day-to-day installation activities to avoid adverse effects to historic properties. This section shall include:

- (1) A description of the installation's desired future condition for historic properties over the course of the planning period;
- (2) A description of goals for management and preservation of the installation's historic properties to be achieved over the course of the planning period; and,
- (3) A list of management practices that can be employed to best meet the desired future condition and stated management goals. These management practices should:
 - (i) Be comparable with preservation standards and guidelines included in DA PAM 200-4 and the relevant Secretary of the Interior's Standards and Guidelines for Archeology and Historic Preservation;
 - (ii) Focus on the major activities of an installation, including those identified in the Categorized Undertakings section of the HPC; and,
 - (iii) Focus on standardizing effective historic preservation practices and procedures for installation properties that, at a minimum, include preservation, adaptive reuse, rehabilitation standards, and, as appropriate, interpretation for historic properties.

(f) *Standard Operating Procedures (SOPs)*: SOPs are critical to an installation's proper management of its undertakings and must be developed in close consultation with consulting parties, including SHPOs, THPOs, Federally recognized Indian Tribes, and Native Hawaiian organizations. SOPs shall be developed to provide consistent implementation of management goals, historic preservation standards, coordination, consultation, and mitigation procedures for historic properties that may be affected by installation undertakings. Where Federally recognized Indian Tribes attach traditional religious and cultural importance to historic properties, consultation with Tribes may take place for properties both on and off Tribal lands. These procedures shall be tailored for the particular conditions and specific requirements at an installation. At a minimum, HPCs shall include the following:

- (1) *SOPs for Installation Decision Making Process*: These SOPs define the progressive steps which an installation shall take in its internal decision making process in order to manage its undertakings and their potential to affect historic properties. The goal of this SOP should be to avoid adverse effects in the first instance; to mitigate such effects where avoidance is not feasible; and to proceed with notification when adverse effects cannot be mitigated. In order to document this process, an installation commander should complete each step of the process before proceeding to the next.
 - (i) *Identifying Undertakings and Defining APEs*: This SOP shall provide for identifying undertakings and defining the APE for each undertaking.
 - (ii) *Identifying and Evaluating Historic Properties*: This SOP shall contain procedures for identifying historic properties within the APE, evaluating their eligibility for the National Register

and assessing the effects on them, including those properties having traditional religious and cultural importance to Federally recognized Indian Tribes or Native Hawaiian organizations (recognizing that such properties may be eligible under any of the National Register criteria). This SOP should also contain a procedure for resolving any disputes over the eligibility of a property to the National Register. Any unresolved disputes concerning eligibility shall be forwarded to the Keeper of the National Register in accordance with 36 CFR Part 63.

(iii) *Applying Best Management Practices:* This SOP shall provide for the consideration and application of historic preservation management practices established pursuant to Section 3.5(e) to avoid adverse effects in the first instance and to meet identified HPC preservation goals. Avoidance of adverse effects would preclude the need to proceed with a more detailed alternatives review. Avoidance of adverse effects includes, for example, rehabilitating historic buildings following the Secretary of the Interior's Standards for the Treatment of Historic Properties (1995), and modifying project plans to physically avoid and protect archeological sites and historic properties of traditional religious and cultural importance to a Federally recognized Indian Tribe or Native Hawaiian organization.

(iv) *Alternatives Review:* This SOP shall provide a process for the review of project alternatives for undertakings where application of best management practices is not feasible or would not avoid adverse effects. Prior to applying mitigation measures to minimize unavoidable adverse effects to historic properties, application of this SOP is required. This SOP will:

(A) Conduct a review of project alternatives, using the NEPA process, when practical, to consider whether other feasible alternatives to avoid or reduce impacts to a historic property can be implemented. Alternatives should include the relocation or modification of project features, or the rehabilitation, renovation, adaptive reuse, transfer, or mothballing of historic buildings; and,

(B) Conduct an economic analysis for historic buildings proposed for demolition that addresses and compares the economic costs associated with alternatives, including the life-cycle costs associated with rehabilitation and reuse; demolition and new construction; and mothballing and reuse.

(v) *Treatment of Adverse Effects:* This SOP shall provide for treating/mitigating adverse effects that cannot be avoided through the application of best management practices or implementation of a project alternative. This SOP should include HABS/HAER recordation, archeological data recovery, and mitigation procedures for transfer, sale or lease of historic properties out of Army ownership to a non-federal entity.

(vi) *Documenting Acceptable Loss:* This SOP shall provide for determinations to proceed with an undertaking having an adverse effect where the installation commander has determined that treatment/mitigation is not in the best public interest or is not financially or otherwise feasible. The installation commander's determination, including a discussion as to how the preceding steps in the decision making process were carried out and a rationale as to why mitigation measures will not be applied, shall be provided to consulting parties and the Council for a 30-day review, prior to implementing the undertaking. Upon receiving the written views of the Council, the installation commander must consider the Council's comments and provide written documentation of his or her decision to the Council and the consulting parties.

(2) *Review and Monitoring:* This SOP shall establish an annual review and monitoring coordination process among appropriate installation staff and consulting parties. Review and monitoring shall:

(i) Provide in advance, sufficient information to allow meaningful participation of consulting parties in the review and monitoring process;

(ii) Include review of the installation's programmed undertakings for the upcoming fiscal year to provide consulting parties an advanced opportunity to express their views on specific methods for identification, evaluation, and treatment of historic properties affected by such undertakings;

(iii) Include evaluation of past undertakings for the concluded fiscal year and the results of historic preservation efforts related to those undertakings;

(iv) Include evaluation of the effectiveness of the installation's HPC and the need to make amendments to it; and,

(v) Rely to the greatest extent practicable, on information generated by existing Army auditing, programming, and reporting systems.

(3) Obtaining Technical Assistance in HPC Implementation: Recognizing the importance of consulting parties' expertise in the management of historic properties, this SOP may be used to establish a process for the continued involvement of consulting parties and qualified organizations with a demonstrated interest in management of the installation's historic properties during HPC implementation through use of reimbursable arrangements.

(i) This SOP should establish reimbursable arrangements, such as cooperative agreements and procurement contracts, to obtain technical assistance from SHPOs, THPOs, Federally Recognized Indian Tribes, Native Hawaiian organizations, and other qualified organizations with a demonstrated interest in management of the installation's historic properties.

(ii) This SOP will ensure that the installation obtains necessary technical assistance in identification, evaluation, assessment of effects, and treatment of historic properties, using, to the maximum extent practicable, reimbursable arrangements such as procurement contracts and cooperative agreements with consulting parties and qualified organizations with a demonstrated interest in management of the installation's historic properties.

(iii) This SOP will recognize that:

(A) Federally recognized Indian Tribes are uniquely qualified to identify, evaluate, and treat historic properties to which they attach traditional religious and cultural importance on and off Tribal lands;

(B) Native Hawaiian organizations are uniquely qualified to identify, evaluate, and treat historic properties to which they attach traditional religious and cultural importance; and,

(C) SHPOs and THPOs possess indispensable professional expertise for identification and evaluation of historic properties as well as assessment and treatment of effects.

(iv) This SOP shall ensure that all actions to implement the HPC will be taken by individuals who meet professional standards under regulations established by the Secretary of Interior in accordance with Section 112 (a)(1)(A) of the Act. The Army Agency Official shall ensure that professional standards, as defined in Section 1.5 of these procedures, are met in the conduct of identification, evaluation, and assessment of effects and treatment of historic properties. When the Army requests assistance from Federally recognized Indian Tribes and Native Hawaiian organizations in the identification, evaluation, assessment of effects and treatment of historic properties of traditional religious and cultural importance, they need not meet the Secretary of Interior's Professional Qualifications Standards.

(4) Consultation for Inadvertent Discovery and for Emergency Actions: This SOP shall establish an expeditious consultation process between the installation and the consulting parties for emergency actions and for the inadvertent discovery of historic properties, including those of traditional religious and cultural importance to Federally recognized Indian Tribes or Native Hawaiian organizations.

Consultation with Federally recognized Indian Tribes shall take place for such properties both on and off Tribal lands.

(5) Categorical Exclusions: This SOP shall provide for a process to determine when an approved categorical exclusion is applicable to an undertaking.

(6) National Historic Landmarks: This SOP shall contain provisions to give special consideration to installation undertakings that may directly and adversely affect NHLs by taking such planning and actions, where feasible, to minimize harm to the NHL. This SOP shall afford the Council and the National Park Service a reasonable opportunity to comment on the NEPA document(s) prepared for or associated with the undertaking prior to its approval.

(7) Shared Public Data: This SOP shall provide for the sharing of data between the installation and consulting parties and the public. The procedure should, at a minimum, identify the categories of data to be shared, the format in which the data will be provided and the standards of data accuracy that will be met. To the greatest extent permitted by law, including section 304 of the Act and section 9 of ARPA, this SOP shall also ensure that shared data concerning the precise location and nature of historic properties, properties of traditional religious and cultural importance, and sacred sites identified pursuant to Executive Order 13007 are protected from public disclosure through NEPA or the Freedom of Information Act. Particular care should be taken to safeguard electronic data.

Section 4.0: Program Review and Certification

The installation commander shall develop a final HPC only after completing internal Army review and consultation with consulting parties and public participation in accordance with the procedures set forth in this section. The installation commander shall sign and implement the final HPC in recognition of its status as a section 106 legal compliance document. Should the command change during HPC implementation, the CRM or Native American Affairs Coordinator, shall advise the incoming installation commander of the HPC, its content, commitments and legal effect.

4.1 Army Program Review

(a) Installation commanders that have elected to comply with these procedures in lieu of 36 CFR Part 800 shall forward a Draft HPC, meeting the requirements set forth in Section 3.0, through the MACOM to Headquarters Department of the Army (HQDA) for review and comment through the following procedures.

(b) The installation commander shall forward the Draft HPC and supporting documentation to the MACOM for review. The review package shall include:

- (1) The Draft HPC addressing all program elements set forth in Section 3.0;
- (2) The Draft NEPA document, generally an EA, developed to consider the environmental impacts of adopting and developing the Draft HPC;
- (3) Confirmation that relevant installation level staff, including legal, operations and training, facilities and public works, have reviewed the Draft HPC;
- (4) Summary of consultation with consulting parties and the results of such consultation, including the written comments, if any; and,
- (5) An explanation of outstanding issues of concern when the Draft HPC does not reflect the mutual agreement of the installation and consulting parties.

(c) The MACOM shall conduct appropriate technical and legal review of the Draft HPC and supporting documentation, and forward the review package with the MACOM's written comments to the ACSIM within 30 days.

(d) The ACSIM, or his/her designee, shall coordinate HQDA review of the Draft HPC and supporting documentation, and, within 30, days provide written comments to the MACOM and installation commander regarding the Draft HPC's consistency with technical, legal and policy practices.

(e) The installation commander shall release the Draft HPC and NEPA document for review by the public and consulting parties in accordance with the procedures set forth in Section 4.2 after giving consideration to MACOM and HQDA comments and integrating such comments where appropriate. The installation commander shall withhold sensitive site data to the greatest extent permitted by ARPA and the Act.

4.2 Consulting Party and Public Review

(a) Public Review. After consultation with consulting parties in accordance with Section 3.4, and internal Army program review pursuant to Section 4.1, the installation shall release the Draft HPC and NEPA document, including, if appropriate, a draft Finding of No Significant Impact to the public for 30-day review and comment. The installation shall publicize the availability of these documents using appropriate public notification procedures established by the Army's published NEPA regulations, 32 CFR Part 651. In addition, the installation shall forward copies of the Draft HPC and Draft NEPA document to any members of the public who have been identified as having an interest in the effects of Army activities on historic properties located on the installation or affected by installation activities, and local government officials.

(b) Tribal, Native Hawaiian organization, SHPO, THPO and Council Review:

(1) Concurrent with public review, the installation commander shall forward the Draft HPC and NEPA document to the following entities and invite their views:

(i) The Council;

(ii) The SHPO;

(iii) The THPO for any Federally recognized Indian Tribe where historic properties on Tribal lands will be affected by installation activities, including those properties of traditional religious and cultural importance to the Tribe;

(iv) The Tribal government and Native Hawaiian organization that attaches traditional religious and cultural importance to any historic property on the installation or affected by installation activities;

(v) any other consulting parties that have taken part in development of the HPC; and,

(2) Within 30 days of receipt of Draft HPC and NEPA document, consulting parties shall:

(i) Provide their written views to the installation;

(ii) Indicate whether or not they intend to be a signatory to the HPC; and,

(iii) Identify specific objections to the HPC.

(3) If any consulting party fails to provide written response within the 30-day review period, the installation commanders may presume there is no objection by that consulting party to the Draft HPC.

(4) Installation commanders shall consider the comments from the public and the written views and recommendations of the Council, SHPO, THPO, Tribal government or Native Hawaiian organization, and make adjustments to the Draft HPC and NEPA document, if appropriate.

(5) Where a SHPO, THPO, Tribal government or Native Hawaiian organization has objected in writing to the Draft HPC and refused to be a signatory, installation commanders shall consult with the objecting party to resolve the objection, prior to forwarding the Draft HPC and supporting documentation to the Council for review and certification.

4.3 Council Review and Certification

(a) After considering, and where appropriate, addressing the views of other consulting parties and the public, and consulting to resolve objections, the installation commander shall finalize and sign the HPC, obtain the signature of consulting parties (other than those with outstanding objections), and forward the signed HPC to the Council with a request to review and certify the installation's HPC. The following supporting documentation will be included:

(1) Final NEPA documentation,

(2) Written views, if any, of consulting parties, including SHPO, THPO, Tribal governments or Native Hawaiian organizations,

(3) Summary of consultation with consulting parties, including SHPO, THPO, Tribal governments or Native Hawaiian organization(s),

(4) any views expressed by the public; and,

(5) Where a consulting party has declined to participate as a signatory to the HPC, a summary of the party's objections and the installation's efforts to resolve the objections.

(b) The Council shall review the HPC to determine whether it meets the following certification criteria:

(1) Establish the Program Elements set forth in Section 3.0;

(2) Include appropriate SOPs to ensure that the installation will effectively manage its historic properties, identify and consider the effects of its undertakings on historic properties, including those of traditional religious and cultural importance to a Federally recognized Indian Tribe or Native Hawaiian organization, apply appropriate treatment standards, and coordinate and consult with consulting parties;

(3) Demonstrate that it was developed in consultation with the SHPO, THPO, Tribal governments or Native Hawaiian organizations that attach traditional religious and cultural importance to historic properties on the installation or affected by installation activities;

(4) Demonstrate that the public participated in development and/or review;

(5) Establish procedures for coordination to facilitate review and monitoring;

(6) Establish procedures for obtaining Council and National Park Service comments through the NEPA process where an undertaking will have a direct and adverse effect on an NHL; and,

(7) For installations with identified NHLs, establish procedures, where feasible, for minimizing the effects of undertakings that may have a direct and adverse effect on an NHL.

(c) Within 30 days of its receipt of the HPC and supporting documentation, the Council shall apply the certification criteria set forth in Section 4.3(b)(1)-(7), and shall:

- (1) Determine that the installation's HPC meets the criteria and sign the HPC, certifying the installation to comply with section 106 of the Act through implementation of the HPC. Within 30 days of receiving the Council's certification, the installation commander shall provide signed copies of the certified HPC to consulting parties; or,
- (2) Determine that the installation historic preservation program shall meet the certification criteria with minor adjustments; and,
 - (i) Provide views to the installation with suggested changes, and,
 - (ii) Sign the HPC, subject to the installation's incorporation of changes, certifying the installation to comply with section 106 of the Act through implementation of the HPC. Within 60 days of receipt of the Council's certification, the installation commander, unless an extension period is agreed to, shall make the recommended changes and shall provide copies of the revised HPC to the Council, and the consulting parties. If the Council does not receive the installation changes within 60 days or the extension period, the Council shall notify the installation commander and consulting parties that the HPC has failed to meet certification criteria, and the installation shall follow Section 4.3(d), below.
- (3) Determine that the installation has failed to meet one or more of the certification criteria set forth in Section 4.3(b)(1)-(7), and:
 - (i) Provide the installation with formal written views that identify the specific criterion and related deficiency; and,
 - (ii) Make specific recommendations to the installation for addressing the identified deficiency.
- (d) Where the Council has determined that the installation's HPC has failed to meet the certification criteria, the installation commander shall:
 - (1) Address the identified deficiency and resubmit the HPC and supporting documentation to the Council for certification in accordance with Section 4.3(a), in which case the Council shall conduct the review and provide a certification determination pursuant to Section 4.3(b)-(c); or,
 - (2) Object, in writing, to the Council's recommendations and consult with the Council to resolve the objections.
 - (i) If, after good faith consultation, the Council and installation commander agree that the objection(s) cannot be resolved, the installation shall notify its MACOM.
 - (ii) If, 30 days after MACOM notification, objections remain unresolved, consultation under these procedures shall terminate and the installation commander will notify consulting parties and continue to operate under 36 CFR Part 800.
 - (3) The installation commander may resubmit his request for certification and reinstitute consultation at any time after termination.

4.4 Effect of Certification

- (a) Installations with a certified HPC shall operate under the procedures set forth herein as implemented by that HPC. The provisions of the certified HPC shall substitute for the requirements of 36 CFR Part 800 for a period of five years from the date of certification.
- (b) Installations electing to apply these procedures that have not met certification requirements shall review undertakings in accordance with the procedures set forth in 36 CFR Part 800.

(c) Installations shall implement treatment and mitigation commitments made in existing project-specific Memoranda of Agreement (MOAs) and Programmatic Agreements (PAs). Upon completion of pre-existing mitigation and treatment requirements, such agreements shall terminate. Requirements of other installation level Programmatic Agreements shall terminate upon certification. However, successful procedures in such agreements for the identification, evaluation, assessment of effects and treatment of historic properties should be considered during consultation, and if appropriate, integrated in the SOPs.

4.5 Exempt Undertakings

(a) The following categories of undertakings are exempt from further review by an installation operating under a certified HPC:

(1) Undertakings addressed through a fully executed nationwide Programmatic Agreement or other Program Alternative executed in accordance with 36 CFR Part 800.14.

(2) Undertakings categorically excluded by an installation's HPC pursuant to Section 3.5(d).

(3) Undertakings where there is an imminent threat to human health and safety. Such actions include:

(i) In-place disposal of unexploded ordnance;

(ii) Disposal of ordnance in existing open burning/open detonation units;

(iii) Emergency response to releases of hazardous substances, pollutants and contaminants; and,

(iv) Military activities in existing designated surface danger zones.

(b) Where a Federally recognized Indian Tribe has entered into an agreement with the Council to substitute Tribal historic preservation regulations for the Council's regulations under section 101(d)(5) of the Act, the Army shall follow those Tribal historic preservation regulations for undertakings occurring on or affecting historic properties on Tribal lands.

(c) In instances where another Federal agency is involved with the Army in an undertaking, the Army and the other agency may mutually agree that the other agency be designated as lead Federal agency. In such cases, undertakings will be reviewed in accordance with 36 CFR Part 800.

Section 5.0: Amendment and Recertification

5.1 Plan Amendment

(a) At any time after obtaining Council certification, a consulting party may identify changed circumstances and propose an HPC amendment to the installation commander.

(b) If an installation commander determines that an amendment to an HPC may be necessary, the installation shall continue to review undertakings and treat adverse effects in accordance with the established HPC, unless he/she determines that the HPC is insufficient to meet its responsibilities under section 106 of the Act. If the installation commander determines that the HPC is no longer sufficient to meet those responsibilities, it shall review its undertakings in accordance with 36 CFR Part 800 until the proposed HPC amendment is completed.

(c) Where an installation commander determines that an amendment proposed by a consulting party is not necessary, and agreement cannot be reached between the installation commander and the consulting party to amend the HPC, the consulting party may request Council review under Section 7.2.

(d) Major Amendments: Any proposal to alter, delete, or add to an HPC's list of categorical exclusions, best management practices, or established standard operating procedures shall be considered a Major Amendment to the HPC.

(1) The installation commander shall:

- (i) Forward the proposed amendment to consulting parties;
- (ii) Consult with such parties and invite them to be signatories on the HPC Major Amendment; and,
- (iii) Seek and consider views of the public through the NEPA process, if applicable.

(2) Within 45 days of its receipt of the proposed HPC Major Amendment, each consulting party shall:

- (i) Provide written comments to the installation;
- (ii) Indicate whether it intends to be a signatory to the proposed HPC Major Amendment; and, if not,
- (iii) Provide written objections to both the installation commander and the Council.

(3) When a consulting party fails to provide written response within the 45-day review period, the installation commander may presume that there is no objection to the proposed HPC Major Amendment by that consulting party.

(4) If all consulting parties and the installation commander concur with the proposed HPC Major Amendment, the installation commander shall obtain the consulting parties signatures, sign the final HPC Major Amendment, and forward it to the Council for review, approval, and signature. If the Council does not respond within 30 days of its receipt of the amendment, then the amendment shall be considered final. The installation commander shall send copies of the final signed HPC Major Amendment to consulting parties and its MACOM.

(5) If all consulting parties do not concur with the proposed HPC Major Amendment and/or the Council objects within 30 days of the proposed amendment, the Council shall provide its written views and recommendations on the proposed HPC Major Amendment to the installation commander;

(i) If the installation commander considers the Council's views and implements the Council's recommendations, then the HPC Major Amendment shall be considered final.

(ii) If the installation commander objects to the Council's recommendations, the installation commander shall consult with the Council to resolve the objections.

(A) If the Council and the installation commander agree that the objection cannot be resolved, installation shall notify its MACOM.

(B) If, 30 days after MACOM notification, objections remain unresolved, consultation shall terminate and the installation shall either continue implementation of its certified HPC without the amendment or, where that is not feasible, comply with 36 CFR Part 800. The installation commander shall notify consulting parties of his or her final decision.

(iii) The installation commander may reinitiate consultation on the proposed amendment to the HPC any time after termination.

(e) Minor Amendments: When circumstances at an installation change, requiring Minor Amendment(s) to an administrative provision in the installation's HPC, such as identification of the CRM, Coordinator for Native American Affairs, changes to the planning level survey, changes to the list of categorized undertakings, and technical editorial changes, the installation commander shall:

- (1) Amend the HPC without further consultation or coordination; and,
- (2) Provide a Notice of Change to consulting parties and the Council.

5.2 Recertification

(a) No later than six months prior to expiration of the five-year term of certification, the installation commander shall initiate the process for obtaining renewed certification through the procedures set forth in Sections 3.0 and 4.0 of these procedures.

(b) The installation shall continue to operate under its certified HPC during the recertification process unless the five-year term of the HPC has expired. Where the five-year term of the HPC has expired, the installation commander shall:

- (1) Continue to operate under the certified HPC for a period of time to be determined by the Council, in consultation with the installation commander; and,
- (2) Inform consulting parties of the time extension, and work with them towards completing the recertification process; or,
- (3) Inform consulting parties and review individual undertakings in accordance with 36 CFR Part 800 until recertification of the HPC is completed.

Section 6.0: Administrative Remedies

6.1 Evaluation of Council Determinations

(a) Within 30 days of the Council's final determination to certify or recertify an installation to operate under its HPC, or approve a Major Amendment, a consulting party may object in writing to the Council's determination. The objection must:

- (1) Be forwarded to the Council, the installation commander and the MACOM;
- (2) Be specifically related to a deficiency in:
 - (i) Consultation with the consulting party; and/or,
 - (ii) Consideration of historic properties of importance to that objecting party.

(b) The Council shall review the objection, obtain the installation's views, and within 30 days provide the Council's written determination to both the objecting party and the installation commander.

(c) The Council's written determination shall either:

- (1) Validate the Council's previous determination to certify or recertify the HPC, or to approve a Major Amendment;

- (2) Allow the installation to continue implementation while resolving objections; or,
- (3) Revoke the previous determination and require the installation to review its undertakings in accordance with 36 CFR Part 800.

6.2 Evaluation of HPC Implementation

- (a) Any time subsequent to Council certification or recertification, if a consulting party believes that an installation has failed to implement its HPC, the consulting party shall first notify the installation commander, in writing, of its objection. The consulting party must provide information and documentation sufficient to set forth the basis for its objection. The installation commander and consulting party shall attempt to resolve the objection informally before proceeding with the formal procedures set forth below.
- (b) If a consulting party has raised an objection with the installation commander and the objection has not been resolved informally, the objecting party may elevate its objection to the Council, in writing. The written objection must:
 - (1) Be forwarded to the Council and the installation commander;
 - (2) Be specifically related to an installation's failure to implement an identified SOP in the HPC; and,
 - (3) Describe the objecting party's efforts to resolve the objection informally at the installation level.
- (c) Where the consulting party has objected to a specific undertaking, the installation commander shall, during the 15-day Council review period set forth below, defer that discrete portion of the undertaking which may cause adverse effects to historic properties. This deferral provision will not apply where the activity at issue is an exempt undertaking under Section 4.5 or where the adverse effects have been documented as acceptable loss under an installation's HPC implementing Section 3.5(f)(1)(vi) of these procedures.
- (d) The Council, within 15 days of receiving the written objection of a consulting party, shall provide a written response to the consulting party and the installation commander, expressing its views, and, if appropriate, making specific recommendations for resolution of the consulting party's objections.
- (e) If the Council does not provide its written views within the 15-day review period, the installation commander shall assume that there is no Council objection and proceed with the undertaking.
- (f) If the Council does provide its written views within the 15 day review period, the installation commander shall document his or her consideration of the Council's views, provide copies of the documentation to the Council and the objecting consulting party, and proceed with the undertaking.
- (g) The Council may also object to an installation's implementation of its HPC, in which case the Council will provide its written views and specific recommendations for resolution to the installation commander for his or her consideration. The installation commander shall document his or her consideration of the Council's views and provide copies of the documentation to the Council and the consulting parties.

Section 7.0: Council Review of Army Section 106 Compliance

7.1 Council Review of Army Alternate Procedures

- (a) The Council may periodically evaluate the effectiveness of these procedures in meeting the mandates, goals and objectives of section 106 of the Act and make recommendations to the Army to improve the efficiency and effectiveness of its compliance with section 106, under these procedures.

(b) As required by section 203 of the Act, the Army shall assist the Council in their evaluation by providing requested documentation on Army policies, procedures, and actions taken to comply with section 106 of the Act.

(c) The Council shall make the results of any evaluation conducted under this section available for public inspection.

7.2 Council Review of Installation Compliance

(a) The Council may review an installation's compliance with its HPC only where a documented pattern of failure to implement the installation's HPC is evident. The Council's review may be undertaken on its own initiative or at the request of a consulting party based in part on the objections rising from evaluation under Section 6.2. Based on its review, the Council shall:

- (1) Determine that the installation is substantially complying with the HPC and make recommendations for program improvements; or,
- (2) Initiate consultation with the installation commander and MACOM, if appropriate, and recommend a course of action to ensure installation implementation of its HPC.
- (3) Provide a copy of any written recommendations to consulting parties.

(b) The installation commander, after receiving Council recommendations, shall either:

- (1) Conclude consultation and implement its HPC in accordance with Council recommendations; or,
- (2) Make a determination to revert to operation under 36 CFR Part 800 and provide notice to consulting parties, the Council, and the ACSIM through its MACOM.

Appendix A: Acronyms

**ACRONYMS USED IN
PROPOSED ARMY ALTERNATE PROCEDURES TO
36 CFR PART 800**

AAP	Army Alternate Procedures
ACSIM	Assistant Chief of Staff for Installation Management
AR 200-2	Army Regulation 200-2: Environmental Effects of Army Actions
AR 200-4	Army Regulation 200-4: Cultural Resources Management
Act	The National Historic Preservation Act
APE	Area of Potential Effects
ARPA	The Archeological Resources Protection Act
CRM	Cultural Resources Manager
DA PAM 200-4	Department of the Army Pamphlet 200-4: Cultural Resources Management
DEP	Director of Environmental Programs
EA	Environmental Assessment
EIS	Environmental Impact Statement
FPO	Federal Preservation Officer
HPC	Historic Properties Component (the section 106 portion of an ICRMP)
HQDA	Headquarters, Department of the Army
ICRMP	Integrated Cultural Resources Management Plan
MACOM	Major Command
MOA	Memorandum of Agreement
NAGPRA	The Native American Graves Protection and Repatriation Act
NEPA	The National Environmental Policy Act
NHL	National Historic Landmark
NHPA	The National Historic Preservation Act
PA	Programmatic Agreement
PLS	Planning Level Survey
SHPO	State Historic Preservation Officer
SOP	Standard Operating Procedure
THPO	Tribal Historic Preservation Officer